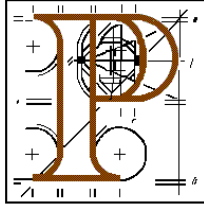


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0503

An Bord Pleanála Reference Number: PL 06D.245679

APPEAL by Joanne and Michael Shelley of 88 The Rise, Woodpark, Ballinteer, Dublin against the decision made on the 28th day of September, 2015 by Dún Laoghaire-Rathdown County Council to refuse permission.

PROPOSED DEVELOPMENT: Retention of wall, as constructed, to the south of 88 The Rise, Woodpark, Ballinteer, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The proposed retention of the boundary wall would adversely impact on the use, enjoyment and permeability of an open space area and would, therefore, seriously injure the amenities of the residential properties in the vicinity. The proposed development would set an undesirable precedent for similar development and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would contravene an existing condition (number 1) attached to a permitted development granted under appeal reference number PL06D.206125, would contravene existing conditions (numbers 1 and 3) attached to a permitted development granted under planning register reference number D06A/1659 and would, therefore, not be in accordance with the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.