

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dun Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0507

An Bord Pleanála Reference Number: PL 06D.247981

APPEAL by Catherine Fidgeon of “Emyvale”, 4 Marine Parade, Sandycove, County Dublin and by Esmé Lyttle care of Jim Brogan of Unit B1, Laurel Lodge Business Centre, Laurel Lodge, Castleknock, Dublin against the decision made on the 16th day of January, 2017 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Peter Caviston care of DMOD Architects of Cathedral Court, New Street, Dublin.

PROPOSED DEVELOPMENT: Development of a restaurant consisting of the partial demolition of the existing structure and construction of a two-storey extension to the rear over a new basement and associated site works, all at 56 Glasthule Road, Dun Laoghaire, County Dublin as amended by the revised public notice received by the planning authority on the 13th day of December, 2016.

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

On the basis of the submissions made in connection with the planning application and appeal, the Board is not satisfied that the application has been made by a person who has –

- (a) sufficient legal estate or interest in the land the subject of the application to enable the person to carry out the works on the said land, or
- (b) the approval of the person who has sufficient legal interest or estate.

In these circumstances it is considered that the Board is precluded from giving further consideration to the granting of permission for the development the subject of the application.

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

Dated this day of 2017.