



An  
Bord  
Pleanála

**Board Order**  
**PL 06D.249383**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17A/0539**

**Appeal** by William and Jeanne Delaney of Carrig-na-Mara, Sandycove East Lane, Sandycove, County Dublin against the decision made on the 14<sup>th</sup> day of September, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Pascal Boret and Catherine Keogh care of Extend Architects of 14 Castle Street, Dalkey, County Dublin.

**Proposed Development:** (1) Demolition of the existing bungalow house, (2) construction of a four bedroom flat roofed three-storey house, (3) the works will also consist of a first floor balcony to the rear of the property screened to the neighbours on both sides, (4) garden access stairs from first floor level, and (5) rooflights, works to driveway, landscaping, soak-away, drainage works and ancillary and associated works, all at The Bungalow, Sandycove East Lane, Sandycove, County Dublin.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with 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 development, by reason of its scale, height, orientation and proximity to the permitted dwelling granted by the planning authority under planning register reference number D14A/0600, would seriously injure the amenities of that permitted dwelling by virtue of overlooking and loss of privacy. Furthermore, by reason of its height and the design of its access from the proposed first floor to the rear garden and its undue proximity to the existing dwelling to the west, it is considered that the proposed development would seriously injure the residential amenities of the property by reasons of overshadowing and overlooking. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. 'The Bungalow' is an established single-storey, detached house that comprises a structurally sound, habitable dwelling in good condition. It is a requirement of the current Dún Laoghaire-Rathdown County Development Plan that the planning authority assesses single replacement dwellings within an urban area on a case by case basis, that such replacement dwellings may only be permitted where the existing dwelling is beyond repair due to structural defects, and that a strong justification/rationale be provided by the applicant for such demolition and replacement. Having regard to the habitable condition of the established house, and to the lack of sufficient justification for its demolition rather than the potential to extend, alter and upgrade the existing house, if required, to provide improvements to the available accommodation, it is considered that the proposed demolition of 'The Bungalow' would be contrary to the provisions of the development plan, would result in the unnecessary loss of good quality housing stock. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this          day of    2018**