



Planning and Development Acts 2000 to 2017

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D18A/0032

APPEAL by Rebeka Kahn care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 6th day of March, 2018 by Dun Laoghaire Rathdown County Council to refuse permission to the said Rebeka Kahn.

Proposed Development Retention of single storey building for use as a Ceramic Artist's Studio and associated ancillary buildings including replacement and upgrade of existing wastewater treatment system and associated site works all at 3 Rathmichael Haven, Rathmichael, Shankill, Dublin.

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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. Having regard to the zoning objective for the site 'to protect and/or improve residential amenity', it is considered that the retention of the commercial use, which is remote from adequate public transport facilities, would conflict with this objective and would give rise to serious injury to residential amenity in the vicinity. As such, the development for which retention is sought would be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied, on the basis of the information submitted with the application and appeal, that the proposed wastewater treatment system is appropriately sized and located to safely treat wastewater arising from the dwelling house and ceramics studio and associated toilet on site. The proposed development would, therefore, be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.