



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0598

APPEAL by Michelle Dillon care of Michael Knight of 11 Kingston Court, Dublin against the decision made on the 15th day of August, 2018 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Construction of a detached, two-bedroom, two-storey circa 114 square metres mews dwellinghouse, onto the public laneway to the east (rear) of number 12 Landscape Park, with vehicular access to one off-street parking space, boundary treatments including gates, rear garden space and associated ancillary site works including connection to services. All at 12 Landscape Park, Churchtown, 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. Having regard to the site location along a minor laneway which is seriously substandard in terms of width and lacks a pedestrian footpath, the existing traffic conditions along the laneway and its relationship with adjacent development, and the restricted nature of the proposed vehicular entrance to the site, it is considered that the proposed development would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists, would result in the obstruction of other road users, and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the restricted size and configuration of the site, it is considered that the proposed development, by reason of its overall design and proximity to the site boundaries, would result in an unacceptable impact on the residential amenity of future occupants, and in an unacceptable reduction in the established levels of residential amenity of the neighbouring property to the immediate south by reason of overlooking. The proposed development would, therefore, seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

Michelle Fagan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.