



Planning and Development Acts 2000 to 2018

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D18A/0092

APPEAL by Eimear and Marie Duffy of 3 Woodley Park, Kilmacud, Dublin against the decision made on the 21st day of September, 2018 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Irene O'Brien and Mel Maclaine care of Irvine Nash Architecture and Interiors of 7 Clarinda Court, Clarinda Park West, Dun Laoghaire, County Dublin.

Proposed Development: Construction of a two-bedroom single storey over basement dwelling with new entrance from Sweetbriar Lane, off street parking and all associated site works and services, all at rear of 1 Woodley Park (a corner site at the junction of Woodley Park and Sweetbriar Lane), Kilmacud, 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

Having regard to the quality and distribution of the proposed private open space provided at basement level, it is considered, notwithstanding the provision of private open space at ground floor level, that the proposed development would provide an inadequate level of amenity for future occupants. The Board considered that significant modifications would be required to address these concerns and that these modifications could not be addressed by way of condition. The proposed development would, therefore, seriously injure the residential of future occupants and be contrary to the proper planning and sustainable development of the area.

In deciding not to agree with the Inspector's reasons and considerations for refusing permission, the Board considered that the development would not constitute overdevelopment of the site, and would not seriously injure the residential or visual amenities of the area.

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

Dated this day of 2019.