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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dun Laoghaire Rathdown County Council**

**Planning Register Reference Number: D18A/0842**

**APPEAL** by Charco Properties Limited care of Regan and Associates Architects of 60 Clonlea, Ballinteer Road, Dublin against the decision made on the 26<sup>th</sup> day of October, 2018 by Dun Laoghaire Rathdown County Council to refuse permission to the said Charco Properties Limited.

**Proposed Development:** Demolition of existing one storey shed and construction of a two-storey three bedroom house plus roof set back containing outdoor terrace with bedroom and en-suite bathroom. In addition planning permission is sought to provide two car parking spaces to the front of the proposed dwelling off Taney Park Lane, all at site to the rear of No. 90 Rosemount Estate, Churchtown Lower, 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**

The proposed development, by reason of its overall scale, height and siting, would represent overdevelopment of a restricted site, would be contrary to the guidance set out in the Dún Laoghaire Rathdown County Development Plan 2016-2022 under section 8.2.3.4 (vi) in relation to backland development with regard to garden depth and separation distances from adjoining properties, would be visually obtrusive and overbearing when viewed from the rear garden of the existing house and adjoining property no. 91 Rosemount and would result in a significant reduction in the private open space serving no. 90 Rosemount. 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.

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

**Dated this            day of            2019.**