



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/1234

APPEAL by Eileen and Donal O'Malley care of Peter White Associates Architects of 34 Belgrave Square, Rathmines, Dublin against the decision made on the 20th day of February, 2019 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Construction of a two-storey three bedroomed house with associated site works at the rear of "The Laurels", Torquay Road, Foxrock, Dublin (a Protected Structure).

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 pattern of development in the area, the Board considered that the proposed development would represent piecemeal backland development of a large rear garden (tennis court area). The Board considered that the proposed development was contrary to the Development Management standards for 'Backland Development' as set out in section 8.2.3.4 (vi) of the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022 which states that where there is potential to provide backland development at more than one site/property in a particular area, the planning authority will seek to encourage the amalgamation of adjoining sites/properties. The Board considered this reasonable. It is considered, therefore, that the proposed development would represent an unsustainable use of zoned serviced lands and would be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this day of 2019.