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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D20A/0213**

**APPEAL** by Emelina and Paul Ellis care of Future Analytics of 23 Fitzwilliam Square (South), Dublin against the decision made on the 26<sup>th</sup> day of June, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission.

**Proposed Development:** Construction of a detached three-storey house on a sub-divided site to the side of the existing house, the extended dishing of the pavement to access a new parking area to the proposed house and to move the parking area for the existing house, a new pedestrian access door to the rear garden, three number rooflights and associated site works at 1 Highland Grove, Cabinteely, 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 is in an area zoned A to protect and/or improve residential amenity in the Dún Laoghaire-Rathdown County Development Plan 2016-2022. The application site comprises a narrow side garden which functions in part as public open space. The proposed development by reason of its excessive scale, mass and position on the boundary of the public footpath would comprise overdevelopment of a restricted site and would be visually incongruous and out of character with the pattern of development in the area. The proposed development would, therefore, seriously injure the visual and residential amenities of the area and would contravene the residential zoning objective set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022. The proposed development would not, therefore, be in accordance with the proper planning and sustainable development of the area.

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**Maria FitzGerald**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**