



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0357

APPEAL by Anthony McMahon and Eleanor Burnhill care of Steven Phillips of Number 8 Studio of Torytops, Ballinteer Road, Dublin against the decision made on the 15th day of July, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Retention of the existing rear balcony terrace of circa 15.7 square metres and for new works comprising the replacement of the existing terrace surface, the provision of obscure screens at each end of the terrace and a glazed weather canopy over existing door openings, with associated works to the existing railings including increasing the height at 9 Newtownsmith, Sandycove, 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 zoning Objective A to protect and/or improve the residential amenity of the area as provided for in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, and notwithstanding the inclusion of proposed works to mitigate the potential for overlooking, it is considered that the terrace for which retention is sought, by reason of its location, design and use, in conjunction with its proximity to adjoining private open spaces, would result in an unacceptable level of overlooking and would therefore seriously injure the residential amenities of the adjoining properties. The proposed development would, therefore, 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 2020