



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0277

APPEAL by Peter and Jacinta Maxwell care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 17th day of July, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: (i) Demolition of existing two-storey mid-terrace mews dwelling, (ii) construction of replacement two bedroom two-storey with attic level contemporary mews dwelling with private garden to the rear and one number on-curtilage parking space to be accommodated within ground floor porch area accessible off Elton Court, and (iii) all ancillary works necessary to facilitate the development, at site at the rear of number 5 Breffni Terrace, Sandycove, County Dublin (a Protected Structure - RPS reference number 1348) with frontage to Breffni Terrace Mews/Elton Court.

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 excessive height relative to the immediately surrounding and adjoining buildings and its bulk, massing and design, would be out of character with the pattern of development in the immediate vicinity in addition to being overbearing. Furthermore, the proposed development provides for a three-storey mews house development which is contrary to 8.2.3.4 'Additional Accommodation in Existing Built-up Areas' – Section (x) 'Mews Lane Development', of the Dún Laoghaire-Rathdown County Development Plan 2016 – 2022, and the excessive height and bulk of the house would give rise to overshadowing, leading to a loss of sunlight, of the rear amenity space of the house to the east, number 6 Breffni Terrace Mews. The proposed development would, therefore, seriously injure the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

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

Dated this day of 2021.