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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3949/20**

**Application for Leave to Appeal** against the decision of the planning authority by Bart and Kathleen Cunningham care of James M. Briscoe Architect of 68 Carrickhill Road, Portmarnock, County Dublin having an interest in land adjoining the land in respect of which Dublin City Council decided on the 10<sup>th</sup> day of February, 2020 to grant subject to conditions a permission to Jenny and Killian Pattwell care of Andrew Stewart Architects of 41 Woodlawn Park, Dublin.

**Proposed Development:** Planning permission is sought for the construction of new wall and gate at rear boundary, together with erection of two number prefabricated timber domestic storage sheds within rear garden. Retention permission is sought for one number car parking space within the rear garden on a gravel surface edged in cobbles at 52 Belgrave Square, Rathmines, Dublin (a Protected Structure).

**Decision**

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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**Dave Walsh**

**Member of An Bord Pleanála**

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

**Dated this            day of            2021**