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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

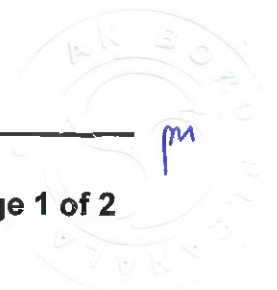
**Planning Register Reference Number: 3977/20**

**APPEAL** by Hugh Mulcahy care of Feargall Kenny of 45 Hainault Drive, Foxrock, Dublin against the decision made on the 19<sup>th</sup> day of February, 2021 by Dublin City Council to refuse a permission to Hugh Mulcahy.

**Proposed Development** The sub-division of the property and the construction of a detached two-storey house on the side garden of the existing house, together with the relocation of the existing vehicular entrance gate to serve one parking space for the new house and the provision of a new vehicular entrance to serve one parking space for the existing house, also alterations to the existing house including removal of the existing side patio door and the replacement of an existing front window by a new patio door and all other necessary associated site and development works including the provision of an underground rainwater harvesting tank and soakaway to serve the new house, all at 2A Durham Road, Sandymount, Dublin.

**Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

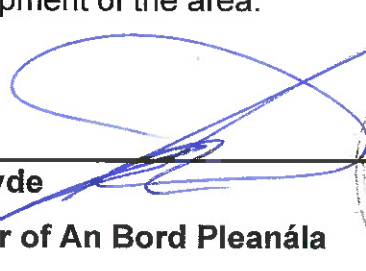


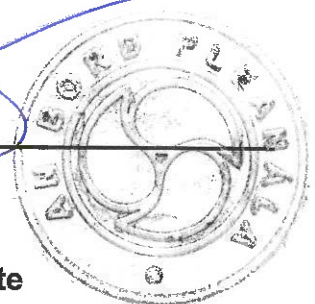
## Matters Considered

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 the previous subdivision of the site and the construction of an infill dwelling, it is considered that the proposed development which would introduce a further dwelling house into this restricted site, would result in overdevelopment and would be a substandard form of development by reason of the lack of sufficient useable private open space for both the existing dwelling house at Number 2A and the proposed dwelling, and by reason of the proximity of the proposed dwelling house to adjoining residential properties, would be visually incongruous, would result in overlooking of neighbouring properties and would seriously injure the amenities of properties in the vicinity and of the area. Furthermore, it is considered that the proposed development would be contrary to the provisions of the Dublin City Development Plan 2016 - 2022 and would, therefore, be contrary to the proper planning and sustainable development of the area.

  
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**Paul Hyde**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 17<sup>th</sup> day of MAY 2021.