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**Planning and Development Acts 2000 to 2020**

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

**Planning Register Reference Number: D21A/0523**

**APPEAL** by Joseph Martin of 5 Richview Park, Dartry, Dublin against the decision made on the 29<sup>th</sup> day of July, 2021 by Dún Laoghaire-Rathdown County Council to refuse outline permission.

**Proposed Development:** Outline permission is sought for a two-storey dwelling to the rear of 123 Churchtown Road Lower, fronting to and accessed from Flemingstown Park, Dublin.

## **Decision**

**REFUSE** outline 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 application site is part of a larger landholding which includes a doctor's surgery, residential accommodation and car parking, and is located in an area zoned to protect and or improve residential amenity in the Dún Laoghaire-Rathdown County Development Plan 2016–2022.

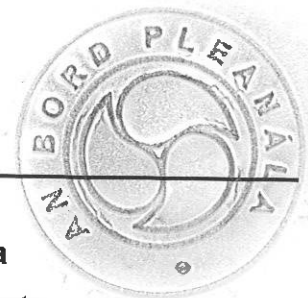
Having regard to;

- the two-storey nature of the proposed house on a restricted site adjoining sensitive residential uses,
- the lack of clarity in relation to the provision of private open space to serve the proposed house and the existing apartment on site,
- the lack of detail in relation to the quantum/layout/specifications of on-site car parking, and
- the lack of detail in relation to the height and fenestration of the proposed house,

the Board is not satisfied that the proposed development would not seriously injure the residential amenity of future residents of the proposed house and of property in the area. It is considered that the proposed development would materially contravene the zoning objective for the area set out in the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

  
Michelle Fagan

Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board



Dated this 28<sup>th</sup> day of October 2021