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**Planning and Development Acts 2000 to 2021**

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

**Planning Register Reference Number: D21B/0383**

**APPEAL** by Malcom and Colma Hughes care of DMOD Architects of Cathedral Court, New Street South, Dublin against the decision made on the 15<sup>th</sup> day of September, 2021 by Dún Laoghaire-Rathdown County Council to refuse permission.

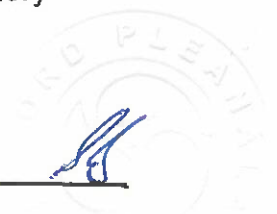
**Proposed Development:** Retention of the timber fencing boundary treatment to the rear at 2 Marine Parade, Sandycove, Dún Laoghaire, County Dublin.

**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

The development proposed to be retained to the rear of number 2 Marine Parade is located on 'NC' zoned lands, which seeks 'to protect, provide for and/or improve mixed-use neighbourhood centre facilities, and is also in close proximity to lands zoned 'A'; "to protect and/or improve residential amenity', as set out under Dún Laoghaire-Rathdown County Development Plan 2016-2022. The development proposed to be retained is therefore located in a Transitional Zone, as set out under Section 8.3.2 of the development plan. Having regard to the overall scale of the structure proposed to be retained, the subject fencing would represent an abrupt transition in scale and would not be in accordance with Section 8.3.2 of the development plan. Furthermore, the timber fencing boundary treatment proposed to be retained, by reason of its overall scale, detailing and its rudimentary appearance as viewed from the south (rear) elevation in particular, is out of character with the area and is visually injurious to the amenities of the area. The development proposed to be retained is, therefore, contrary to the proper planning and sustainable development of the area.

  
Stephen Bohan

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

Dated this <sup>15<sup>th</sup></sup> day of  2022.