



Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/0960

APPEAL by Robert O'Flynn care of BGDA Architects of Amberwood Studio, Washington Lane, Rathfarnham, Dublin against the decision made on the 17th day of December, 2021 by Dún Laoghaire-Rathdown County Council to refuse permission to Robert O'Flynn.

Proposed Development Construct a boundary wall at the rear between 3 Elton Mews, Elton Court and 3 Elton Park, this is an application to amend conditions numbers 1 and 2 of Permission D09A/0523 and D09A/0523/C1, to avoid excessive encroachment into the existing curtilage of the protected structure, all at 3 Elton Mews, Elton Court, and 3 Elton Park, Sandycove, County Dublin (a Protected Structure).

Decision

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

Reasons and Considerations

The Board considered that the proposed development would result in an inadequate quantum of private open space provision for the residents of the mews dwelling. The proposed development would, therefore, be contrary to the private open space requirements for mews developments, as set out in Section 8.2.3.4 of the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022 and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the attractive south-west orientation of the private open space to serve the mews but considered that any associated advantages would be undermined by the limited depth and area of the open space in conjunction with the overshadowing effects from the boundary wall.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *10th* day of *May* 2022.

