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**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22A/0023**

**APPEAL** by Garocal Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 26<sup>th</sup> day of January, 2023 by South Dublin County Council to refuse permission.

**Proposed Development:** Construction of one two-storey two-bedroom, infill dwelling serviced by private amenity space to rear and one on-curtilage vehicular parking space accessible via Barrack Court. Provision of two replacement vehicular parking spaces for use by residents of Barrack Court and all ancillary works, inclusive of SuDs surface water drainage, site works, boundary treatments and landscaping necessary to facilitate development, all at lands to rear of The Copper Kettle Coffee Shop, Main Street, Rathcoole, County Dublin (a protected structure).

**Decision**

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

## Reasons and Considerations

1. The Board is not satisfied, on the basis of the information submitted in support of the planning application and the appeal, that the applicant has demonstrated sufficient legal interest to carry out the alterations proposed to the layout of Barrack Court to enable access to be provided to the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the layout and restricted nature of the proposed relocated car parking spaces within the Barrack Court residential development, and the vehicle manoeuvres required of motorists using the relocated spaces, which would necessitate excessive reversing, it is considered that the proposed development would endanger public safety by reason of traffic hazard. Furthermore, it is considered that the relocation of the two parking spaces would represent a loss of amenity for residents entitled to use those spaces. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



  
Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 3<sup>rd</sup> day of January 2024.