



An
Bord
Pleanála

Board Order
ABP-319796-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0038

Application for Leave to Appeal against the decision of the planning authority by Claire O'Loughlin of Apt 3, Brighton House, Brighton Terrace, Sandycove, Dun Laoghaire, County Dublin having an interest in land adjoining the land in respect of which Dun Laoghaire Rathdown County Council decided on the 7th day of May, 2024 to grant subject to conditions an outline permission/permission to Martin Murray care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin.

Proposed Development: (i) The redesign of the existing unauthorised vehicular entrance, which replaced a pedestrian entrance to the site and includes the widening of the existing entrance and the creation of a bell entrance with Georgian metal gates to match original iron works; (ii) relocation of existing bus stop to south of vehicular entrance in the direction of Glasthule Village to accommodate vehicular access as per National Transport Authority guidance and all site works at 7 Brighton Terrace, Sandycove Road, Sandycove, Co. Dublin (a Protected Structure Reference 1321).

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

In considering the request for leave to appeal, the Board had regard to the conditions attached to the grant of planning permission by the planning authority and the documentation submitted by the applicant seeking leave to appeal. The Board considered that it has not been shown that the development in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of conditions imposed by the planning authority to which the grant is subject.

The Board considered that the extent of kestrel kerbs required by condition number 2 is the same as the extent proposed in the application as originally submitted by the applicant.

As such, the Board considered they do not meet the criteria for leave to appeal as set out under section 37(6) of the Planning and Development Act, as amended, above and on this basis, the Board decided to refuse the appeal.



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 17th day of June 2024.

