

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15B/0371

An Bord Pleanála Reference Number: PL 06D.245929

APPEAL by Graham Hughes and Mary Browne care of Studio 3 of 12 Northbrook Road, Dublin against the decision made on the 26th day of November, 2015 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of the position as constructed of two number first floor windows previously granted under planning register reference number D14B/0455 to south elevation at 1 Dundela Avenue, Sandycove, County Dublin.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the nature, scale and location of the proposed development, the pattern of development in the area, the planning history of the site including the windows as originally permitted, the report of the planning authority and its rationale for imposing Condition number 2, the submissions on file from the parties, the site inspection and report of the Inspector, the distances involved, the modest difference in cill height, and the restricted angle of view, it is considered that any increase in overlooking would be limited, and would not seriously injure the residential amenities of neighbouring property.

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.

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

Dated this day of 2016.