



An  
Bord  
Pleanála

**Board Order**  
**PL 06D.248239**

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## **Planning and Development Acts 2000 to 2016**

**Planning Authority: Dun Laoghaire-Rathdown County Council.**

**Planning Register Reference Number: D16A/0719.**

**Appeal** by John Waters of 96 Stillorgan Grove, Stillorgan, Blackrock, County Dublin and by Weng and Sheila Lee care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 1<sup>st</sup> day of March, 2017 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to the said Weng and Sheila Lee.

**Proposed Development** Retention of as built development of house, including minor alterations to pitched roof to side showing flat roof area at the top and minor adjustments to roof line and associated hidden gutters et cetera, widening of the vehicular entrance gate to include the provision of a pedestrian gateway to the side and associated gate piers and figured dimensions shown to enclosing side fences to front garden area as approved in planning permission D14B/0383, An Bord Pleanála reference number PL 06D.244714, all at 94 Stillorgan Grove, Blackrock, 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**

1. Having regard to the nature and extent of the development the subject of the retention application, it is considered that the development the subject matter of the planning authority's decision differs materially from the application as originally submitted and, accordingly, further consideration of the application would be inappropriate in these circumstances without further public notices and a complete set of drawings describing the works to be retained.
2. The development the subject of the retention application and in particular the extension of the as constructed elements to the northern portion of the site, seriously injure the residential amenities of the property at Number 96 Stillorgan Grove by reason of oversailing and surface water drainage.

