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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17B/0115**

**Appeal** by Rizwan Uddin care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 27<sup>th</sup> day of April, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission.

**Proposed Development:** Retention of dormer window and roof lights at the first floor over the domestic garage used incidental to the enjoyment of the dwelling house at The Last Straw, Ballycorus Road, Kiltarnan, 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

Having regard to the nature of the subject development and to the planning history of the site, it is considered that the retention of these windows has not been justified having regard to the limitations on the use of the subject development as set out in condition number 3 of An Bord Pleanála appeal reference number PL 06D.246941.

In deciding to consider the application as if it had been made to the Board in the first instance and in deciding not to accept the Inspector’s recommendation to require the planning authority to remove condition number 2, the Board considered that the dormer windows and roof lights are not necessary for a domestic garage and for the purposes incidental to the enjoyment of the dwellinghouse as required by condition number 3 of the Board’s decision under PL 06D.246941.

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

**Dated this      day of                                  2017**