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**Planning and Development Acts 2000 to 2017**

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

**Planning Register Reference Number: D17A/1145**

**Appeal** 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 23<sup>rd</sup> day of February, 2018 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 following `as built` modifications to the permitted house authorised pursuant to permission planning register reference number D14B/0383; 1) amended roof profile at side extension to north including flat roof at the top; 2) single storey music room/shed/lobby at rear (27 square metres); 3) timber bicycle shed at front garden (7 square metres); 4) 4 metres wide vehicular access incorporating 900 millimetres wide pedestrian gateway and associated 2.4 metres high granite gate piers; 5) 1720 millimetres high timber fencing at north and south front garden boundaries; 6) rounded granite coursing to top of front boundary wall (1.99 metres over all height) and 7) omission of the basement. Permission to remove circa 4.2 metres long parapet and cladding, valley gutter, aluminium cladding and drip flashing to top of boundary wall at site extension to north and to extend the roof to match existing roof profile, new concrete coping to top of boundary wall (replacing aluminium drip flashing), new gutters and

rainwater pipe, new render finish to match boundary wall and associated works; new side (north) elevation to music room/shed/lobby comprising five number mirror panels (1200 millimetres by 800 millimetres each) and horizontal timber batten screen; and the dishing of footpath to vehicular entrance, development all at 94 Stillorgan Grove, Blackrock, County Dublin.

## **Decision**

**Having regard to the nature of the condition 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 zoning objective for the area as set out in the Dún Laoghaire-Rathdown County Development Plan 2016 – 2022, to the established pattern of development in the area and to the nature, scale and design of the proposed pedestrian/vehicular entrance to be retained, it is considered that, the proposed development and the development proposed for retention would not seriously injure public safety or the visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **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.

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

**Dated this            day of            2018.**