



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0497

Appeal by Colm and Mairin O'Donnell care of Downey Planning, 1 Westland Square, Pearse Street, Dublin 1 against the decision made on the 19th day of July, 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: Permission for: 1. The construction of a two-storey extension to the rear with associated roof light. 2. The conversion of the existing garage and a first floor extension above the garage. 3. Modifications to the existing roof and associated three number proposed new roof lights. 4. The widening of the front vehicular entrance with new entrance gates, together with all ancillary site and landscaping works at 39 Nutgrove Park, Farrenboley, 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 existing pattern of development in the vicinity, and to the scale and design of the proposed development, it is considered that the extension as originally proposed would not seriously injure the visual or residential amenities of the area or of adjoining property and would not conflict, in a material way, with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022. The imposition of condition number 2 is therefore not warranted.

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.

Philip Jones

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2018.