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**Planning and Development Acts 2000 to 2018**

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

**Planning Register Reference Number: D18A/0546**

**APPEAL** by Peter and Yana Crowley care of Cahill-O'Brien Associates Limited of 24a Mellifont Avenue, Dún Laoghaire, County Dublin against the decision made on the 31<sup>st</sup> day of July, 2018 by Dún Laoghaire-Rathdown County Council to refuse a permission.

**Proposed Development:** Carry out substantial alterations, demolitions and additions to the existing decayed house including the adding of a second storey to the main body of the house, a replacement extension to the rear at ground and first floor level with a raised and a sunken garden level terrace at Fides, 95 Sorrento Road, Dalkey, 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 design of the front elevation of the dwelling, in particular, the composition and proportions of the fenestration including the central first floor window with recessed balcony and roof lights, it is considered that the proposed development is incongruous with the existing streetscape, visually discordant with the rhythm of the terrace and detrimental to the character of the Dalkey Village Architectural Conservation Area. In this regard, it is considered that the proposed development is contrary to Policy AR12 and Section 8.2.11.3 of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, and the guidance set out in the Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht 2011) regarding Architectural Conservation Areas and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the height and scale of the proposed raised terrace to the rear and the extent of fenestration proposed on the eastern and western elevation at first floor level, it is considered that the proposed development would be visually obtrusive and would seriously injure the amenities of adjoining residential property by reason of overlooking. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2018.**