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## Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18B/0351

**Appeal** by Morgan Crowe care of Fergus Flanagan Architects Limited of Crescent Quay, Wexford against the decision made on the 1<sup>st</sup> day of October, 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:** Construction of a new first floor pitched roofed extension including roof lights to the south elevation, new roof light to the north roof elevation, internal amendments and all associated site works at The Gables, Sorrento Road, Dalkey, 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 4 and the reason therefor, so that it shall be as follows for the reason set out.

## **Reasons and Considerations**

Having regard to the design of the sunroom, the proposed position and orientation of the south-eastern window and the limited opportunities for any impact upon residential amenities associated with neighbouring properties, and having regard to the residential amenity being provided for by the proposed development, it is considered that the proposed sunroom window would not adversely impact on the residential amenities of the area, would not set an undesirable precedent and would 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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**Eugene Nixon**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**