

An
Bord
Pleanála

Board Order
ABP-310375-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/0262

Application for Leave to Appeal against the decision of the planning authority by Lily Fagan of Highfield House, Grange Road, Rathfarnham, Dublin having an interest in land adjoining the land in respect of which Dún Laoghaire-Rathdown County Council decided on the 21st day of May, 2021 to grant subject to conditions permission to Thomas and Patricia Healy care of Fitzgerald Kavanagh and Partners of 1 Mount Street Crescent, Dublin.

Proposed Development: Part change of use of the existing 1st floor office unit of the three-storey flat roof building (height 8.7 metres), (site area 101.95 square metres), into residential accommodation (floor area 55.4 square metres). The change of use does not include any alterations to the existing ground floor retail or 2nd floor apartment unit. The application seeks to return the 1st floor unit to its original granted condition, prior to the previously granted permission (PR 665/90), as a one-bed apartment with own door off-street access and car parking facilities. The application includes the replacement of 1st floor windows with of like for like modern windows, new modern internal drylining works to meet current energy

guidelines (Technical Guidance Document Part L 2019) and a new internal layout to meet the current apartment development guidelines (Department of Housing, Planning and Local Government, 2018) at 11 Sydney Terrace, Blackrock, County Dublin.

Decision

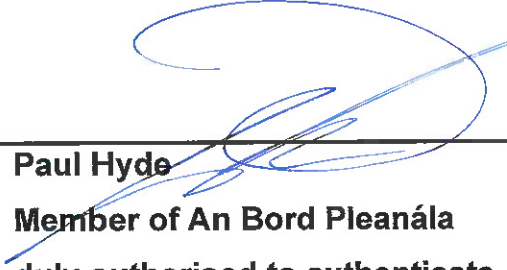
REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Matters Considered

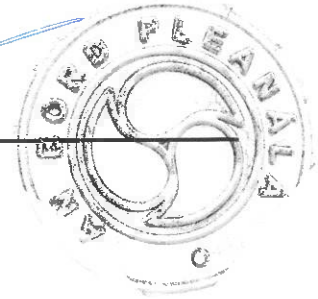
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.



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



Dated this 15th day of June 2021.