

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21B/0505

Appeal by Shirley McDermott and Fergal Halligan of 4 Wainsfort Manor Crescent, Terenure, Dublin against the decision made on the 23rd day of November, 2021 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Detached recreational garden room (21.94 square metres) to rear garden and all associated site works, all at 4 Wainsfort Manor, Crescent, Terenure, Dublin.

Decision

Having regard to the nature of the conditions 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 single storey scale of the proposed development, the separation distances to the adjoining property, and the existing structures to both sides of the boundary which would interfere with lines of sight, the north facing window on the proposed garden room would not have any undue adverse impact on the residential amenity of the adjacent property. Condition number 2 of the permission granted by the planning authority requiring omission of the north facing window is, therefore, not warranted.

Matters Considered

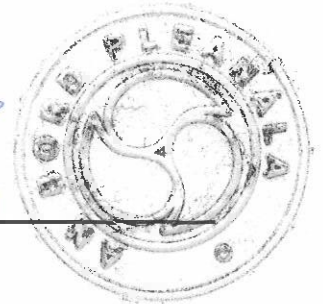
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.



Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 26th day of March 2022.