

---

**Planning and Development Acts 2000 to 2021**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD21B/0531**

**Appeal** by Alison McGinley care of Peter Brennan of Hayfield House, Knocklyon Road, Templeogue, Dublin against the decision made on the 21<sup>st</sup> day of January, 2022 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:** Single storey extension and French doors to the rear, a front porch infill, internal renovations, a dormer roof to the front of the main roof and all ancillary works necessary to facilitate the development at 32, Mountdown Park, Manor Estate, 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 AMEND condition number 2 so that it shall be as follows for the reason set out.

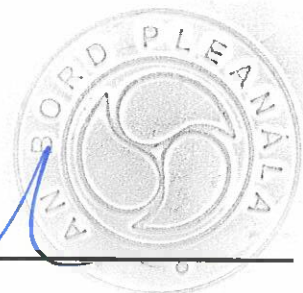
2. The window serving the proposed WC in the rear extension and facing southeast towards Number 30 Mountdown Park shall be omitted from the development and replaced by an additional rooflight serving this room. Details of this alteration shall be submitted for the written agreement of the planning authority prior to the commencement of development.

**Reason:** In the interest of protection of the residential amenity of the adjoining property.

## **Reasons and Considerations**

Having regard to the design and scale of the proposed development and its relationship to surrounding properties, it is not considered that other aspects of the proposed development would have a significant impact on residential or visual amenity and that they are in accordance with the proper planning and sustainable development of the area. It is therefore considered appropriate that, in accordance with section 139 of the Planning and Development Act 2000, as amended, that the appeal would be considered against conditions only.

Having regard to the design of the proposed rear extension, to the location of the window to the WC as indicated in the revised plans received by the planning authority on the 16<sup>th</sup> day of December 2021, including its proximity to the site boundary with Number 30 Mounddown Park, and to the clarity provided by the submission of the planning authority regarding the intended scope of Condition Number 2, it is considered appropriate in the interest of protection of the residential amenity of the adjoining property that the wording of Condition Number 2 would be amended to provide that the window proposed in the southeast-facing elevation serving the proposed WC would be omitted from the development.



---

**Dave Walsh**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board**

Dated this 24<sup>th</sup> day of May 2022