



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0970

Appeal by Jeanette and Hugh Cummins of 94 Balally Drive, Dundrum, Dublin against the decision made on the 4th day of December, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Emer O’Sullivan care of Mary Donohoe Architects of “Albemar”, Corrigan Road, Dalkey, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of as constructed development works, consisting of: 1. The rising of walls and roof levels to front porch and converted side garage area. 2. The construction of a first floor extension to the side to house the relocated staircase. 3. The material widening of the existing vehicular access from 2.4 metres to 3.5 metres. All at 96 Balally Drive, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the design and scale of the first floor extension and the modifications to the front, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would comply with the provisions of the current development plan for the area. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: To ensure a proper standard of development.

3. The footpath shall be dished in accordance with the requirements of the planning authority and at the developer's expense. Details including a timeline for completion shall be agreed in writing with the planning authority.

Reason: In the interest of traffic safety and to ensure a proper standard of development.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.