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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D19B/0524**

**Appeal** by C.P. Redahan care of Maria McPadden of 33 Obelisk Avenue, Saint Augustine's Park, Blackrock, County Dublin against the decision made on the 19<sup>th</sup> day of February, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Renovation and extension of existing house to comprise of: extension to the rear of ground floor to extend area of kitchen, dining room, bedroom one and accommodate a set of stairs and utility room; conversion of attic to accommodate master bedroom with en-suite and storage at 24 Weirview Drive, Stillorgan, County 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**

The proposed development comprises a modest domestic extension to an existing residential use in an area zoned for residential development in the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022. Having regard to the pattern of roof level extensions in the area and to the scale of the proposed development, it is considered that the proposed development, subject to compliance with the conditions below, would not seriously injure the residential amenity of adjoining property or the visual amenity of the wider area and would be in accordance with the zoning objective for the area set out in the County Development Plan and with the proper planning and sustainable development of the area.

The Board noted that the planning authority had decided to refuse permission because it was considered that the proposed development would constitute a material contravention of the Development Plan. However, having regard to the pattern of development in the area, the Board considered that, by virtue of section 37(2)(b)(iv) of the Planning and Development Act 2000, as amended, it was not constrained in granting permission for the proposed development.

## Conditions

1. The development shall be carried out and completed 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 prior to commencement of development and the development shall be carried out and completed 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:** In the interest of public health.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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**Paul Hyde**

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

**Dated this            day of            2020**