



An
Bord
Pleanála

Board Order
ABP-311892-21

Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21B/0442

APPEAL by Oltian Dervishi care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 11th day of October, 2021 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Retention of development consisting of alterations to previously approved plans (Register Reference D20B/0172) for the setting forward of the extension to the side by an additional 0.38 metre and the enlargement of the dormer window structure to the rear by 1.2 metres with proposed modifications for approval at 9 Braemor Drive, Churchtown, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

**Board Order Quashed
by order of the High Court**

Dated 21/07/2024

Signed: Secretary

Reasons and Considerations

Having regard to the location of the site within a terrace of modest two-storey houses on narrow plots, it is considered that the dormer extension that is proposed to be retained, by reason of its excessive height, width, scale and bulk relative to the scale of the roof of the dwelling would result in a visually obtrusive and incongruous feature in the roofscape of the terrace which would be overbearing and out of character with the pattern of development in the vicinity and would seriously injure the visual and residential amenities of the area. The proposed development would, therefore, contravene Section 12.3.7.1 (iv) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, would create an undesirable precedent and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the proposed amendments to the enlarged dormer window comprising the replacement of the painted render on the dormer window with a cladding to match the existing roof material, the reduced height of the dormer window roof capping and the proposal to replace the clear glazing in the northernmost window pane in the former with opaque glazing but did not consider that these amendments adequately overcame the Board's previous reason for refusal of retention relating to the dormer's excessive height, width, scale and bulk relative to the scale of the roof of the dwelling.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



**Board Order Quashed
By order of the High Court**

Dated 21/08/2024

Dated this 25th day of Aug. 2022.

Signed: Secretary *Eileen Wynn*