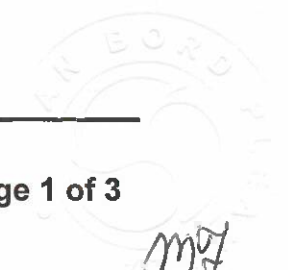


Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21B/0550

Appeal by Suzanna O'Coineen care of Kavanagh Ryan and Associates Limited of Unit 48, The Egan Centre, Dargle Road, Bray, County Wicklow against the decision made on the 26th day of November, 2021 by Dún Laoghaire-Rathdown County Council in relation to an application for retention permission for an existing pet enclosure on the existing garage roof with a new door replacing existing window to the side of the existing two storey detached dwelling. Alteration to the existing fencing to remove the crenelation and match the existing 2.6 metres high fencing and to include ancillary works at Maryville, Link Road, Sandycove, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission to alter the existing fencing to remove the crenelation and match the existing 2.6 metres high fencing and to include ancillary works and to refuse permission for retention permission for an existing pet enclosure on the existing garage roof with a new door replacing existing window to the side of the existing two storey semi-detached dwelling).



Decision

GRANT permission for the proposed alterations to the fencing in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission to retain the existing pet enclosure and new door on the side elevation based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed fencing alterations to remove the crenulation and replace the existing 2.6 metres high fencing, would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity. The proposed development for which permission is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Condition

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.

Reasons and Considerations (2)

The retention of the seven square metres pet enclosure and double doors in the side elevation on the flat roof of the existing garage would result in an adverse visual impact, would seriously injure the residential amenity of adjoining properties by way of overlooking, and would represent an inappropriate form of development on the prominent street. The development proposed to be retained would not be in accordance with the provisions of Section 8.2.3.4 (i) - Extensions to Dwellings of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, would seriously injure the visual and residential amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

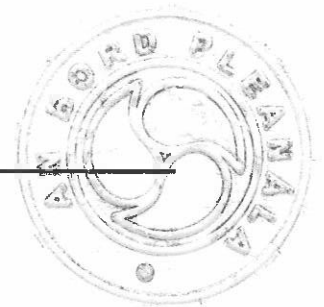
Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 11th day of April 2022.