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**Planning and Development Acts 2000 to 2021**

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

**Planning Register Reference Number: D21A/0843**

**Appeal** by Frank Elmes of 7 Roebuck Avenue, Mount Merrion, County Dublin and by David and Mary Rowlands care of Niall Montgomery and Partners of 33 Rock Road, Williamstown, Blackrock, County Dublin against the decision made on the 21<sup>st</sup> day of December, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Derek and Katherine Young care of Hogan Architects of 9 Millmount Avenue, Drumcondra, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission to extend and alter house. The proposal seeks to adapt the existing roof by extending over the existing garage space and raising the ridge height to align more closely with the adjacent dwelling. The works will include the provision of enlarged dormer windows to the front and rear of the property, new skylights to the eastern and western hips, the conversion of the existing garage to a new bedroom and the provision of a rear, ground floor extension to incorporate additional kitchen, dining and living space. The proposal also seeks to widen the existing vehicular access by 400 millimetres to allow for easier access to and from the property, together with all associated internal alterations and external works at 5 Roebuck Avenue, Mount Merrion, Blackrock, 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.**

## Reasons and Considerations

Having regard to the zoning objective for the site and the pattern of development in the area, together with the design, scale and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed extensions would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted on the 29<sup>th</sup> day of November 2021, 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. The eastern boundary to the front of the property shall be of clipped eaves detail, as per the 'Proposed Contiguous Front Elevation' submitted to the planning authority as further information on the 29<sup>th</sup> day of November, 2021.

**Reason:** In the interest of clarity.

3. The external finishes of the proposed extension shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

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

4. All proposed windows that serve bathroom/ensuite facilities shall be fitted and maintained with obscure glazing.

**Reason:** In the interests of residential amenity.

5. Water supply and drainage arrangements, including the 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.

6. Site development and building works shall be carried out only between the hours of 0800 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.

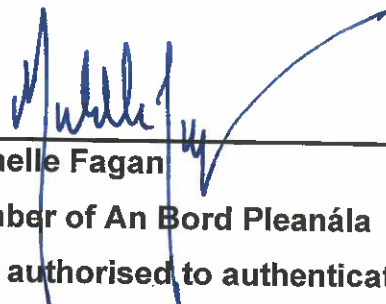
**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

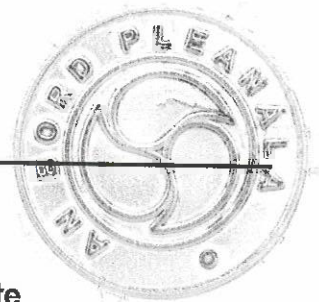
**Reason:** In the interests of public safety and residential amenity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



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



Dated this **25<sup>th</sup>** day of **May** 2022.