

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0182

Appeal by Niall and Jillian Crosby care of O'Connor Whelan Limited of 222-224 Harold's Cross Road, Dublin against the decision made on the 27th day of June, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of garages and extensions to the rear. The construction of a new extension, part two-storey and part single-storey, with covered terrace, indoor swimming pool and terrace. The construction of a separate two-storey annex containing car parking, bicycle store and storage at ground floor with study and gym at first floor. Internal alterations to the existing house including new mechanical and electrical services at Dunkerron, Adelaide Road, Glenageary, County Dublin.

EPK

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2(a) so that it shall be as follows for the reason set out.

2. (a) The proposed annex to the north of main dwelling shall comply with detailed drawings submitted to the Board on the 22nd day of July, 2022 ('Annex – Modified'), and the use of the annex shall be restricted to use directly associated with the use of the existing house on site for such purposes, and the structure shall not be used as residential accommodation, as a separate residential unit, or sub-divided from the existing house, either by way of sale or letting or otherwise. The proposed first floor windows in the West and East Elevations of the proposed annex, as modified by drawings submitted to the Board on the 22nd day of July, 2022, shall be omitted.

Reason: In the interest of residential amenities.

Reasons and Considerations

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, it is considered that, subject to compliance with the condition set out above, the proposed alterations to condition number 2(a) attached to the grant of permission under planning register reference number D22A/0182 would not seriously injure visual amenities, established character or appearance of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

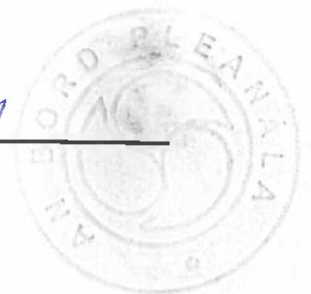
In deciding not to accept the Inspector's recommendation to reduce the length of the proposed modified annex from approximately 17.5 metres to 10 metres, the Board considered that, having regard to the height of the proposed annex, its scale relative to the main house, the size of the development site and the distance of the proposed annex from adjoining properties, the modified annex design as proposed by the applicant/appellant in the drawings submitted to the Board on the 22nd day of July, 2022, subject to the above condition, would not seriously injure visual or residential amenities, established character or appearance of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

Eamonn Patrick Kelly

Eamonn Patrick Kelly

Member of An Bord Pleanála

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



Dated this *5th* day of *July* 2023.