

An
Bord
Pleanála

Board Order ABP-315631-23

Planning and Development Acts 2000 to 2022

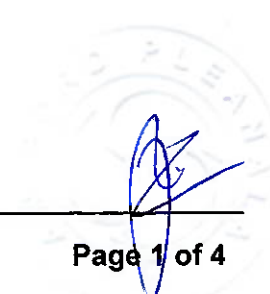
Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0848

Appeal by John and Catherine Smith care of Weber Architecture of 180 Rathgar Road, Dublin against the decision made on the 20th day of December, 2022 by Dún Laoghaire-Rathdown County Council in relation to an application for permission for a single storey granny flat extension at rear including new ground floor gable window to side of existing house at 8 Annville Grove, Dundrum, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for new ground floor gable window to side of existing house and to refuse permission for a single storey granny flat extension at rear.)

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 its design, siting and location including sufficient open space to the rear of the main dwelling, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with the zoning objective for the area, would not seriously injure adjoining visual and residential amenity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development satisfied the requirements of Section 12.3.7.3 of the Dún Laoghaire Rathdown County Development Plan 2022-2028 in relation to Family Member/Granny Flat Extensions.

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 condition. 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 existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

3. The proposed granny flat extension shall be used solely for that purpose, and shall revert to use as part of the main dwelling on the cessation of such use.

Reason: To protect the amenities of property in the vicinity.

4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same, or similar, as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. 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.

A circular seal of An Bord Pleanála is partially visible, with the text 'AN BORD PLEANÁLA' around the perimeter. A blue ink signature is written over the seal.

Joe Boland

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *22nd* day of *February* 2024