

An
Bord
Pleanála

Board Order
ABP-318085-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0462

Appeal by Maire O'Connor care of BPS Planning and Development Consultants of Ballinatone Lower, Greenan, Wicklow against the decision made on the 1st day of September, 2023 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Amanda Murray and Richard Mitten care of Diarmuid Kelly Architect of 12 Belgrave Road, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Two-storey extension to side and rear comprising kitchen, living, dining and utility space at ground floor level and three number bedrooms, two number bathrooms, storage spaces and home office at first floor level. New windows to front at first floor level and new windows to rear at ground floor and first floor level, six number roof windows on north and south facing roof facets. Redesign of main entrance in existing location including feature glazing facing north and east. Changes in existing roof height to match immediately adjacent dwelling to the south, ridge height and eaves height of roof to increase by approximately 1.350 metres. Changes to existing

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 Objective 'A' zoning of the site (to protect and / or improve residential amenity), and policies and objectives as set out in the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not significantly detract from the residential or visual amenities of the area and would be acceptable in terms of traffic and pedestrian safety. The proposed development would be in accordance with the provisions of the current Development Plan 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 did not consider that the design proposed by way of its scale, mass, design, height, proportions, roof profile and proximity to adjoining neighbours would be over-bearing, out of scale and character in comparison to the prevailing architectural context having regard to the orientation of the existing structures, the limited height increase when compared with adjoining properties. The development, while altering the front fenestration of the property, would not appear visually incongruous on the streetscape as the proportions would provide that the articulation of the gable front would be retained. In relation to the concerns expressed in relation to conflict with Policy Objectives PHP19 and PHP20 owing to anticipated negative impacts upon the established residential amenities of adjacent properties, particularly to the immediate north, the Board shared the view of the planning authority

that the revision to the building line adjoining the northern boundary, as required by Condition 2 below, would provide for adequate separation and relief and would provide that the proposal would not detract from the residential amenity of the adjoining property.

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 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. Prior to the commencement of development revised plans shall be submitted for the written agreement of the planning authority which provide for the following revision:

The proposed side extension element is to be set back from the northern side boundary to align with the external building line of the northern façade to ensure the retention of the side passage with a minimum width of 900 millimetres .

Reason: In the interest of safeguarding neighbouring residential amenity.

3. Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Éireann.

Reason: In the interest of orderly development.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.


Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.


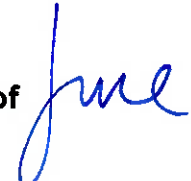
Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the species, variety, number, size and locations of all proposed trees and shrubs and all planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.



Una Crosse
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this  day of  2024