

An
Bord
Pleanála

Board Order
ABP-319322-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23B/0584

Appeal by Conor Hogan and Shona Delaney care of Hogan and Associates of Olivemount House, Olivemount Road, Windy Arbour, Dublin against the decision made on the 20th day of February, 2024 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions permission for the proposed development.

Proposed Development: Construction of an extension to dwelling at front, side and rear with part two-storey and part basement, and related alterations to existing layout and all associated site works at 53 Lower Churchtown Road, Dublin.

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 ATTACH condition number 2 and the reason therefor.

Reasons and Considerations

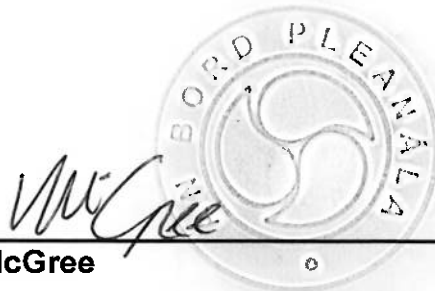
Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, in particular Section 12.3.7.1 (Extensions to Dwellings) of Chapter 12, which sets out development management standards for all new domestic extensions, it is considered that, having regard to the nature and scale of the proposed development, established building lines along Lower Churchtown Road, the character of the existing dwelling house, and that of adjacent residential properties, Condition number 2 as attached to the planning authority's decision is reasonable and necessary to achieve the standards set out in the development plan regarding the protection of established building lines and minimising the impact of domestic extensions on the established visual and residential amenities of adjacent properties, in the interest of the proper planning and sustainable development of the area.

In deciding not to accept the recommendation of the Inspector to refuse planning permission, the Board shared the view expressed by the Inspector that the proposed extensions, as submitted, would not be acceptable at this location having regard to the design, scale and bulk of the proposed development, and potential impact on the established building line. However, on the facts of the case, the Board determined that the amendments required by Condition 2, would be sufficient in the circumstances to provide for an



amended form of development which would be in accordance with the proper planning and sustainable development of the area.

In addition, the Board considered that concerns raised in the Inspectors second recommended reason for refusal, regarding the floor area of previous extensions, and potential issues of regulatory compliance, are matters best addressed by the planning authority.



Liam McGree

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

Dated this 09 day of OCTOBER 2024.