



An
Bord
Pleanála

Board Order ABP-319425-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24B/0033

Appeal by Cormac Conaty care of SHOLA of 65 Gainsborough Avenue, Malahide, County Dublin against the decision made on the 22nd day of March, 2024 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: New first floor extension to front, side and rear of existing dwelling and all associated site works, all at 77 Balally Park, Dundrum, 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, as amended, 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, it is considered that the part of the proposed development beyond the existing main front elevation line, in the plans and particulars received with the planning application under planning register reference number D24B/0033, would seriously injure the visual or residential amenities of the area or of adjacent property and property in the vicinity and would set an undesirable precedent for such development. The attachment of condition number 2 would, therefore, be warranted and its omission would impact on the visual and residential amenities of the area.

In not accepting the recommendation of the Inspector the Board agreed with the planning authority that the proposed development at this particular location beyond the existing main front elevation could result in an adverse visual and residential amenity on the adjacent property, in particular.

The image shows a handwritten signature in black ink over a circular official seal. The seal contains the text 'BORD PLEANÁLA' around the perimeter and a stylized logo in the center. A horizontal line is drawn across the signature and the seal.

Mick Long

Member of An Bord Pleanála

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

Dated this *15th* day of *October* 2024.