

An
Bord
Pleanála

Board Order
ABP-319543-24
(ABP-311892-21)

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21B/0442

Appeal by Oltian Dervishi care of Hughes Planning of 85 Merrion Square, Dublin against the decision made on the 11th day of October, 2021 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Permission is sought for retention of development consisting of alterations to previously approved plans (register reference number D20B/0172) for the setting forward of the extension to the side by an additional 0.38 metres and the enlargement of the dormer window structure to the rear by 1.2 metres with proposed modifications for approval at 9 Braemor Drive, Churchtown, Dublin.

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 zoning objective of the site and the provisions of Section 12.3.7.1 (Extensions to Dwellings) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and to the nature, scale, and design of the development proposed to be retained, it is considered that subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Within three months of the date of this Order, the developer shall submit to and agree in writing with the planning authority a phasing plan for undertaking and completing the proposed amendments to the rear dormer extension. The amendments include the replacement of the:
 - (i) render finish with a cladding to match the existing roof material (details of the material, colour, and texture of the cladding to be agreed with the planning authority),

- (ii) roof capping (0.25 metres in height) with a capping of reduced height (0.17 metres), and
- (iii) clear glazing in the northernmost window pane with opaque glazing.

On completion of the works, photographic evidence shall be submitted to the planning authority indicating same.

Reason: In the interest of visual and residential amenity.

- 3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

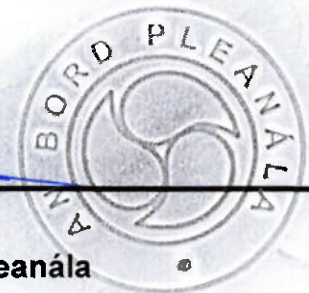
Reason: In the interest of public health.

- 4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.


Liam Bergin

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



Dated this 09th day of October 2024