



An
Bord
Pleanála

Board Order
ABP-319745-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0112

Appeal by Aoife Berrigan and Ronan Donovan of 48 Nutgrove Park, Clonskeagh, Dublin against the decision made on the 22nd day of April 2024 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Teresa Le Gear Keane care of Areng Consulting Limited of Brooklands, Barrettstown Road, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council:

Proposed Development: Seek permission to extend and alter property to include (a) extend to side at first floor level over existing flat roof habitable unit; (b) extend to rear at first floor level over existing flat roof habitable unit and (c) modify and extend roof space to include rectangular dormer windows to rear to create studio space, at 45 Nutgrove Park, 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 location of the site in an area zoned 'A' in the Dún Laoghaire-Rathdown County Development Plan 2022–2028 for which the zoning objective is 'To provide residential development and improve residential amenity while protecting the existing residential amenities,' it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential and visual amenities in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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. The house and the extension shall be occupied as a single dwelling unit and shall not be subdivided or used for commercial purposes. The extension shall not be let, leased or otherwise transferred save as part of the single dwelling unit.

Reason: In the interest of residential amenity.

3. The attic room shall be used as a non-habitable space only.

Reason: In the interest of clarity.

4. The proposed rear dormer structure shall be reduced in width to three metres when measured externally. Revised drawings showing these changes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

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

Reason: In the interest of the visual amenities of the area.

6. Drainage arrangements, including the attenuation and 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.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 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 amenities of property in the vicinity.

8. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 23 day of October 2024.