



An
Bord
Pleanála

Board Order
ABP-320129-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24B/0180

Appeal by Stephen and Rachel Fraser care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 12th day of June, 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: Demolition of single storey garage, side and rear extensions and chimney, construction of two-storey pitched roofed side extension, single storey flat roofed front extension and single storey flat roofed rear extension with rooflights, external insulation to front and rear, SuDS drainage and all associated landscaping and site development works, all at 113 Braemor Road, Churchtown, 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 REMOVE condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the residential land use zoning for the site, and the pattern of development in the area, it is considered that, by reason of its location, scale, nature and design, its location with respect to adjoining properties and the orientation and aspect of those existing properties, the proposed rear extension would not seriously injure the amenities of the area or of property in the vicinity by reason of overshadowing or restricting sunlight. The planning authority's condition number 2 requiring a reduction in the height of the extension is, therefore, not warranted.


Marie O'Connor

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 11 day of November 2024.