



An
Bord
Pleanála

Board Order
ABP-320880-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire Rathdown County Council

Planning Register Reference Number: D24A/0492

APPEAL by Conor Goff care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 27th day of August 2024 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Retention and alterations to development of part dormer dwelling with two-storey extension to north rear side and single storey extension on west side with open canopy over entrance door. The development consists of demolition and removal of the second storey rear north elevation wall and flat roof and its replacement with a reduced height pitched roof, demolition and removal of the flat roof and roof garden to the ground floor extension to the west side of the building and its replacement with a pitched roof and pergola, installation of new ground floor bedroom window to the east wall, and a new rooflight over the master bedroom, execution of new flood defence works including installation of flood protection gates at Roseville Cottage, 60 Commons Road, Loughlinstown, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. It is considered that the applicant has failed to demonstrate that the development satisfies all of the criteria of the Justification Test for development management in accordance with the provisions of section 5.15 and Table 5.1 of the 'The Planning System and Flood Risk Management – Guidelines for Planning Authorities' (November 2009). The Board is not satisfied that the development proposed to be retained would not increase flood risk elsewhere or that the development proposed to be retained includes measures to minimise flood risk to people, property and the environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the discrepancies and inconsistencies between the public newspaper notice, the site notice and the plans and particulars in the application documentation, it is not clear as to the exact nature of the development proposed. In that regard, and in the absence of documentary evidence on file as to the planning status of the existing dwelling on the site, it appears to the Board that the proposed development may include for the re-establishment of a residential use on the site that may have been previously abandoned. Having regard to the site location in an area designated Flood Zone A, the re-establishment of a residential use on the site would conflict with the provisions of 'The Planning System and Flood Risk Management – Guidelines for Planning Authorities' (November 2009) and would conflict with the provisions of sections 5.2.2 and 6.2.10 of Appendix 15 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. The development

proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this 31st day of Jan 2025.