

An
Bord
Pleanála

Board Order
ABP-321197-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0096

APPEAL by Mark and Salima Richards and others care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 9th day of October 2024 by Dún Laoghaire-Rathdown County Council to grant permission, subject to conditions, to Kieron Nolan and Chris Cannon Nolan care of Gareth Maguire Architect of Studio MuA, 4 Cope Drive, Deepforde, Drogheda, County Meath.

Proposed Development: Renovation and extension of existing four-bedroom family dwelling. The works include an attic conversion, demolition of the existing garage to the side of the house and construction of a two storey side extension and extension to the rear. The inclusion of an integrated granny flat for a family member that is linked to the house by a glazed link at the ground floor, with all services to existing connections and associated site works, at 91 Ballinclea Heights, Killiney, County Dublin.

Decision

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

Reasons and Considerations

1. Having regard to the Dún Laoghaire-Rathdown Development Plan 2022-2028, in particular Section 12.3.7.1 (iv), Alterations at Roof/Attic Level, the Board considered that the scale, size, design and position of the rear dormer extension, forward of the eaves line of the main roof and aligned with the main roof ridgeline, would read as a third storey, would be an incongruous feature in the rear roofscape of number 91 Ballinclea Heights, and would set a poor precedent for similar roof level extensions that would be out of character with the established pattern of dormer extensions in the area and inconsistent with visual amenities in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Board also considered that the proposed independent family living accommodation (family member flat) and external link structure, would be in conflict with the Dún Laoghaire-Rathdown Development Plan 2022-2028, in particular Section 12.3.7.3, Family Member/Granny Flat Extension, which requires that additional family accommodation should be capable of being readily subsumed back into the main dwelling on cessation of subsidiary use. The Board considered that the proposed family member flat and external link structure would not follow the established pattern of development of house extensions in the area, would be an inappropriate building form in this suburban location, and would result in the introduction of a second residential building line behind the established building line on Ballinclea Heights, which would

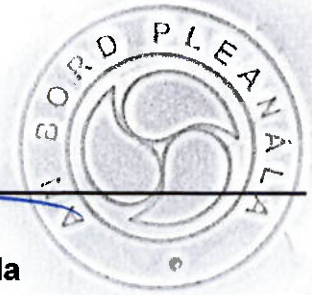
seriously injure the amenities of properties in the vicinity and set a poor precedent for similar development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



MaryRose McGovern

Member of An Bord Pleanála

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



Dated this *17* day of *February* 2025.