



An
Bord
Pleanála

Board Order ABP-321198-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0634/WEB

Appeal by Maria Shiel and Thomas Jordan care of FHA Architecture and Design of The Masonry, 151 Thomas Street, The Liberties, Dublin against the decision made on the 10th day of October, 2024 by Dún Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: The proposed development will consist of the construction of a two storey extension to the front of the property, repositioning of the house entrance from the front to the side of the house and all associated site works at 31 Broadford Avenue, Ballinteer, 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.

PC

Reasons and Considerations

It is considered that the proposed extension to the front of the dwelling house is of a modest scale and subject to the conditions set out below, would not unduly affect the character of the area or seriously injure the visual and residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the fact that there are a large number of dwellings in the immediate vicinity of the area where ground floor extensions have been built forward of the building line including a substantial ground floor extension to the front of number 29 Broadford Avenue adjacent to the subject site. The Board considered that the original building line of the dwellings along Broadford Avenue had been substantially altered as a result of the various extensions to the front of dwellings, and that the proposed extension, notwithstanding the fact that it extends to first floor level, would not have a significant impact on the existing residential character of the area. Furthermore the Board had regard to the modest depth of the extension and considered that the depth of the extension would not unduly impact on the residential amenities of the area by reason of being overbearing or resulting in significant overshadowing.

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 disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

3. Details of the materials, colours and textures of external finishes to the proposed extension, including the roof colour shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

PC

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 11th day of February 2025.