



An
Bord
Pleanála

Board Order ABP-321372-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D24B/0343/WEB

Appeal by Dorothy and David Bergin of 33 Oaktree Road, Stillorgan Road, Dublin against the decision made on the 5th day of November, 2024 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Sam and Lucy Hamill care of Dom Comerford of 13 Beaufield Park, Stillorgan, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Refurbishment and extension to existing house to include single-storey extension to rear and side with flat roof and roof lights, new windows to side and front elevation, new Velux type windows to rear pitched roof and associated internal alterations, drainage and external works, all at 35 Oaktree Road, Stillorgan, County 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 provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, the character of the street, the nature and scale of the proposed development, and the suburban context, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 2nd day of October, 2024, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. A boundary treatment of 1.8 metres in height, matching the height of the proposed new pedestrian gate, shall be provided between the new pedestrian gate and the retained wall of the garage. Details of the materials and finishes in this regard shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: To provide a secure enclosure to the rear garden following the demolition of the garage.

3. The glazing to any bathroom or en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass shall not be permitted.

Reason: In the interest of residential amenity.

4. All external finishes shall harmonise in material, colour and texture with the existing dwelling on site, unless otherwise indicated on the plans submitted, and shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to 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 interest of sustainable drainage.

7. 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.

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.

The image shows a blue ink signature of Declan Moore written over a horizontal line. To the right of the signature is the official seal of An Bord Pleanála, which is a circular emblem with a stylized 'S' in the center and the words 'AN BORD PLEANÁLA' around the perimeter.

Declan Moore
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 10th day of MARCH 2025.