

An
Bord
Pleanála

Board Direction
BD-016703-24
ABP-318085-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/06/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the Objective 'A' zoning of the site (to protect and / or improve residential amenity), and policies and objectives as set out in the Dún Laoghaire Rathdown County Development Plan 2022-2028 and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not significantly detract from the residential or visual amenities of the area and would be acceptable in terms of traffic and pedestrian safety. The proposed development would be in accordance with the provisions of the current Development Plan and would, therefore, accord with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not consider that the design proposed by way of its scale, mass, design, height, proportions, roof profile and proximity to adjoining neighbours would be overbearing, out of scale and character in comparison to the prevailing architectural context having regard to the orientation of the existing structures, the limited height increase when compared with adjoining properties. The development, while altering the front fenestration of the property, would not appear visually incongruous on the streetscape as the proportions would provide that the articulation of the gable front

would be retained. In relation to the concerns expressed in relation to conflict with Policy Objectives PHP19 and PHP20 owing to anticipated negative impacts upon the established residential amenities of adjacent properties, particularly to the immediate north, the Board shared the view of the Planning Authority that the revision to the building line adjoining the northern boundary, as required by Condition 2 below, would provide for adequate separation and relief and would provide that the proposal would not detract from the residential amenity of the adjoining property.

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. Prior to the commencement of development revised plans shall be submitted for the written agreement of the Planning Authority which provide for the following revision:

The proposed side extension element is to be set back from the northern side boundary to align with the external building line of the northern façade to ensure the retention of the side passage with a minimum width of 900mm.

Reason: In the interest of safeguarding neighbouring residential amenity.

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

Reason: In the interest of visual amenity.

4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Éireann.

Reason: In the interest of orderly development.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

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


Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the species, variety, number, size and locations of all proposed trees and shrubs and all planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of

similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

Board Member


Una Crosse

Date: 19/06/2024