

An  
Bord  
Pleanála

**Board Direction**  
**BD-018621-25**  
**ABP-319950-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/01/2025.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the policies and objectives of the Dún Laoghaire-Rathdown County Development Plan, 2022-2028, in particular its provisions relating to development to dwellings located on residentially zoned land, 19<sup>th</sup> Century buildings and Architectural Conservation Areas, the nature of the proposed development sought under this application which includes but is not limited to the demolition of non-original rear extension, the repair and restoration of an existing highly intact 19<sup>th</sup> century period dwelling house, a building which positively contributes to its Killiney Architectural Conservation Area setting, alongside the topography of this site and setting, it is considered that subject to compliance with the conditions set out below, that the proposed development can be positively assimilated by this site and its setting in a manner that would not unduly impact the character and built fabric of the host dwelling as well as its contribution to its Architectural Conservation Area setting. Additionally, it is considered that it would not seriously injure the character and amenities of the area or of property in the vicinity and it would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The 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 30<sup>th</sup> day of April, 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 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, the Applicant shall submit for the written agreement of the Planning Authority revised drawings which provide for a revised vehicular entrance that shall not exceed 3.5 metres in its width and provides details of the roadside boundary treatment.

**Reason:** In order to accord with Section 12.4.8 of the County Development Plan, 2022-2028, and in the interests of orderly development.

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

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

4. Details of boundary treatments shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

5. Prior to the commencement of any development on site the developer shall submit to, and agree in writing with the Planning Authority, an asbestos survey and plan in relation to the safe management of its removal from site in a manner that accords with best practice. This survey should also identify, if any, any other hazardous materials removal from site as a precaution.

**Reason:** In the interest of public health.

6. Prior to the commencement of development to the main building which is an Arts and Crafts period dwelling that forms part of the Killiney Architectural Conservation Area the developer shall submit for the written agreement of the Planning Authority a specification and method statement, covering all works to be carried out to it. This statement should demonstrate how the development would be carried out in accordance with good conservation practice.

**Reason:** In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).

7. The attenuation and 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:** In the interest of public health.

8. The access arrangements, any works to the adjoining public carriageway of Killiney Hill Road and surfacing arrangements for off-street car parking within the setback area shall comply with the requirements of the planning authority for such works. Prior to the commencement of development, the developer shall submit final details of these works for the written agreement of the planning authority.

**Reason:** In the interest of traffic safety.

9. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

10. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Demolition and Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.


11. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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 amenities of property in the vicinity.

12. 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.

**Board Member**

  
MaryRose McGovern

**Date:** 13/01/2025