

An
Bord
Pleanála

Board Direction
BD-019041-25
ABP-320654-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/02/2025.

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 residential zoning objective for the area and the policy framework provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable form of residential amenity, would not have a significant adverse impact on neighbouring properties, would be consistent with the urban consolidation policies of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including Policy Objective PHP19 (Existing Housing Stock Adaptation) and Section 12.3.7.5 (Corner/Side Garden Sites), would be consistent with the Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities (2024), and would, therefore, be in accordance with the proper planning and sustainable development of the area. The Board agrees with the Inspector that the building line and building height of the additional house will harmonise with the existing streetscape and that a contemporary design solution is a valid architectural response to the provision of an additional dwelling house within this streetscape. The Board considered that the original proposal, which included a front elevation dormer and associated roof

balcony, is acceptable, as the overall ridge and eaves height of the roof is maintained at the same level as the adjacent houses, the elevation faces the grounds of Elm Park Golf Club, there are no overlooking concerns, and the overall cohesiveness of the design proposal is maintained. The Board, therefore, decided not to accept the Inspector's recommendation to remove the dormer and associated roof balcony.

Having regard to the specific planning policy requirement (SPPR3) of the Compact Settlement Guidelines which states inter alia that the maximum rate of car parking provision for residential development at city centres and urban locations shall be 1 no. space per dwelling, the Zone 2 designation of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 requirement for 2 no. spaces for a 3 bedroom unit, and the documentation on file provided as part of the appeal, the Board determined that the provision of one in-curtilage parking and new vehicular entrance to the front of No. 27 is appropriate, and did not share the view of the Inspector that the in-curtilage parking to the front of the building be removed from the original proposal. The Board concurred with all other aspects of the Inspector's assessment and recommendations (subject to the conditions as indicated below).

Conditions

- 1) The proposed 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 proposed 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 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.

- 3) Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

- 4) Details of the materials, colours and textures of all the external finishes to 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.

- 5) The site shall be landscaped, using only indigenous deciduous trees and hedging species in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement. This scheme shall include a plan to scale of not less than 1:200 showing

- i. Existing trees and shrubs specifying which are proposed for retention as features of the site landscaping
- ii. The species, variety, number, size and locations of all proposed trees and shrubs
- iii. Details of screen planting to the southern and eastern boundaries.
- iv. Details of the proposed piers to new entrance and amendments to existing boundary wall.
- v. Hard landscaping works specifying surface materials and finished levels.

Reason: In the interest of visual and residential amenity.

- 6) All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

- 7) Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 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 approval has been received from the planning authority.

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

- 8) The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of all intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

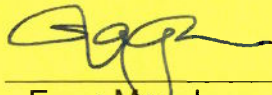
Reason: In the interest of public safety and residential amenity.

- 9) 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


Emer Maughan

Date: 26/02/2025

Notes

1. Section 34(13) of the Planning and Development Act, 2000, as amended states that '*a person shall not be entitled solely by reason of a permission under this section to carry out any development*'.