

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0546

An Bord Pleanála Reference Number: PL 06D.246504

APPEAL by Gerard Britchfield of 31 Mount Anville Park, Goatstown, Dublin and by others against the decision made on the 14th day of April, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to The Society of the Sacred Heart care of G.I. Martin Architects of 50 Tullyard Road, Belfast, Northern Ireland in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of an extension to the existing nursing and residential care premises. The extension will be over two floors, located to the North of the existing single storey home, adjacent to school grounds and a protected structure, and connected by single storey glazed links at each end of the existing premises, to form an enclosed safe and secure spacious courtyard. The accommodation will exceed the requirements of the Health and Information Quality Authority in respect of residential accommodation and will include for disabled access provisions, generous day space and en-suite bedrooms, treatment rooms, offices, pantry kitchens, sanitary provisions, including activity areas, quiet rooms and all necessary ancillary accommodation to ensure the safe and effective operation of such a facility, with a high quality environment for the residents, visitors and staff. The proposal also includes drainage to comply with Council standards, additional covered cycle and car parking to the North of the new extension, commensurate with the needs of the extended home, in compliance with Council standards, and appropriate new landscaping, with the provision of additional trees to ensure an enhanced environment and amenity space, all at 35 Mount Anville Park, Goatstown, 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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the planning history of the site, to the existing use on the site, to the nature of the proposed development on the site and to the nature of the amendments made in response to the section 137 notice, the Board considered that, subject to compliance with the conditions set out below, the proposal would not unduly affect the setting of a protected structure, would be acceptable in terms of traffic safety and convenience, would not affect the residential amenity of surrounding areas and 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 submitted on the 20th day of January, 2016 and the 18th day of March, 2016 and as further amended by drawings CED 15/01-01B, 02B and 03 (a), all three drawings marked 'Option' received by An Bord Pleanála on the 3rd day of October, 2016, 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 proposed shall be amended as follows:

The glazed elements to North-East facing elements of the bay windows to bedroom 5, bedroom 3 and the sitting area on the first floor shall be in obscure glazing.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

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

Reason: In the interest of visual amenity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

5. Measures for the protection of those trees which it is proposed to be retained on the site shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

Reason: To facilitate the identification and subsequent protection of trees to be retained on site and in the interest of visual amenity.

6. 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.

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

Dated this day of 2016.