

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0422

An Bord Pleanála Reference Number: PL 06D.247447

APPEAL by Claire and David Ingoldsby of 2 Laurel Road, Churchtown, Dublin against the decision made on the 26th day of September, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Ashveer Thulseepersad and Tracy Singleton care of Fergus Flanagan Architects Limited of Crescent Quay, Wexford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Consisting of sub-division of existing site, construction of a new two-storey dwellinghouse including new vehicular entrance in existing wall and all associated site works. The development is within the curtilage of “Enderly”, (protected structure) Sweetmount Avenue, Dundrum, 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 site's residential land use zoning objective as set out in Dún-Laoghaire Rathdown County Development Plan 2016-2022, the spacious nature of the site which is enclosed by a high stone wall, the scale and design of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would comprise an acceptable house design on this corner site, would not seriously injure the visual or residential amenity of the area or of property in the vicinity and would not adversely affect the special character of the protected structure. 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 further information received by the planning authority on 30th August 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 following shall apply in relation to the design of the development:
- (a) All works including demolition, repair and new interventions to the granite boundary walls shall be undertaken in accordance with the requirements of an approved Conservation Architect qualified to at least Grade II RIAI or equivalent, who shall prepare a method statement and detailed design for these works.
 - (b) The pedestrian entrance shall be omitted from the front wall and may be included in the splay wing walls at the vehicular entrance.
 - (c) The entrance details shall otherwise comply with the requirements of the planning authority.
 - (d) The Conservation Architect shall certify to the planning authority on completion of works that best conservation practice has been followed in relation to works to the boundary walls.
 - (e) The main eastern side wall of the proposed dwelling shall be a minimum of 5.7 metres from the side wall of number 2 Laurel Road as indicated in the further information drawings received by the planning authority on the 30th day of August, 2016.

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

Reason: In the interests of protecting the character of the protected structure and in the interests of clarity.

3. 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.

Reason: In the interest of amenity and to ensure that the character of the area is protected.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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 and 1900 hours from Mondays to Fridays inclusive, between the hours of 0800 and 1400 hours on Saturdays and not at all on Sundays, Public or Bank 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.

6. Water supply and drainage arrangements, including 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.

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.

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

Dated this day of 2017.