

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D16A/0645**

An Bord Pleanála Reference Number: PL 06D.247608

**APPEAL** by Louise and George Brady care of Thornton O'Connor Town Planning of Paradigm House, Dundrum Office Park, Main Street, Dublin against the decision made on the 26<sup>th</sup> day of October, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Catherine and Mark Taylor care of Extend Architects of 14 Castle Street, Dalkey, County Dublin of in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Demolition of single storey extensions to the rear and side, including flat roof side entrance structure to existing property and construction of (1) two storey flat roof extensions to the rear and sides, (2) roof alterations for first floor dormer style extensions, (3) elevation alterations to the front and side, (4) new side passage after demolitions and (5) associated landscaping, drainage and widening of existing vehicular entrance at 7 Knock-na-cree Park, Dalkey, County 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to the scale and nature of the proposed development and to the nature and character of the surrounding environment, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location and would not seriously injure the amenities of the area or of property in the vicinity. 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, 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 detail 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 development shall be amended as follows:
  - (a) The first floor window shown on the western elevation shall be omitted.
  - (b) The ground floor terrace at the rear shall be screened to prevent overlooking of adjoining properties.

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

**Reason:** In the interest of the residential amenities and visual amenities of the area.

3. No access shall be permitted to any of the flat roofs at first floor level save for maintenance.

**Reason:** In the interest of residential amenity.

4. The entrance shall have a maximum width of 3.5 metres and the entrance piers shall have a maximum height of 1.1 metres.

**Reason:** In the interests of pedestrian and traffic safety.

5. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to a single dwelling house (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

**Reason:** In the interest of protection of residential amenity.

6. Details of materials, colours and textures (including samples) 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.

7. The site shall be landscaped in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall be implemented in the first planting season following the completion of development.

**Reason:** In the interest of visual and residential amenity.

8. 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.

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 the 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.

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

**Dated this            day of            2017.**