

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D16A/0749**

An Bord Pleanála Reference Number: PL 06D.247824

**APPEAL** by Damien Flanagan and Ciara Regan care of Rob Goodbody of Oldbawn, Old Connaught, Bray, County Wicklow against the decision made on the 6<sup>th</sup> day of December, 2016 by Dún Laoghaire-Rathdown Council to refuse a permission for the proposed development.

**PROPOSED DEVELOPMENT:** Off-street carpark space and erection of a new gate at 11 Eaton Square, Monkstown, County Dublin, Conservation Area.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, 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 pattern of development in the vicinity and the limited nature of the physical intervention involved, it is considered that the proposed development, subject to compliance with the conditions set out below, would not be out of character with the historic pattern of boundary treatment at this location and would not form a discordant feature in the streetscape. Furthermore, having regard to the particular circumstances of the subject site, which is different in nature and design to the majority of properties within Eaton Square, it is considered that the proposed development would not set a precedent for other similar forms of development elsewhere within Eaton Square nor the Monkstown Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied that the subject property was different to the majority of properties in Eaton Square, and would therefore not represent a precedent, nor be inconsistent with the Board's decision under file reference number PL06D.243947. The Board was also satisfied that the proposed development, because of the limited nature of the physical works involved, which involves the removal of a small plinth wall, and the provision of railings of the same design as the existing railings along the site frontage, would not form a discordant feature within the streetscape nor interfere with the character of the Architectural Conservation Area. In this regard, the Board had regard to the documentation submitted with the application and appeal in relation to the historic background of the subject site and its place within the overall built environment in this 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 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. All works shall be carried out under the supervision of a suitably qualified Historic Building Fabric Consultant/Accredited Conservation Architect, who shall certify to the planning authority upon completion that the permitted works have been carried out in accordance with good conservation practice. The replacement railings/gates shall exactly match the design and detailing of the existing railings along the site frontage.

**Reason:** In order to ensure that the proposed works are carried out in accordance with good conservation practice.

3. No alterations shall be made to the front garden area, other than the specific works to the front railing/plinth wall. In particular, the existing grassed area shall be retained and the existing gravelled driveway shall not be increased in width, nor hard surfaced.

**Reason:** In order to ensure that the proposed development will not interfere with the character of the Architectural Conservation Area and will comply with the provisions of the current Development Plan, section 8.2.4.9(iv), in relation to vehicular entrances with Architectural Conservation Areas.

4. The footpath in front of the proposed vehicular entrance shall be dished and strengthened, at the developer's expense, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed entrance shall be no more than 2.6 metres in width.

**Reason:** In the interests of pedestrian and traffic safety, and to minimise the extent of works to the existing front boundary.

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

**Dated this                      day of                      2017.**