

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16B/0200

An Bord Pleanála Reference Number: PL 06D.248059

APPEAL by Herbie Graham and Oonagh Cremins care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin and by Máirín Mac Górain of “Dal Riada”, Carrickbrennan Road, Monkstown, County Dublin against the decision made on the 25th day of January, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Sarah Jane Treacy care of Kavanagh Ryan and Associates of Unit 48 The Egan Centre, Dargle Road, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a new extension to the existing semi-detached two-storey dwelling to include four square metres at ground floor level to the side, 29 square metres single-storey flat roofed extension to the rear, 12 square metres first floor addition to the side and 12 square metres first floor addition to the rear to include the removal of the existing dormer and construction of a new pitched roof over at “Wychwood”, 6 Carrickbrennan Road, Monkstown, 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 nature, design and scale of the proposed development and to the existing pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of neighbouring dwellings or the amenities of the area, would not be out of character with the pattern of development in the vicinity, including the nearby Architectural Conservation Area and would not represent overdevelopment of the subject site. 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 the further plans and particulars submitted on the 22nd day of December, 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 development shall be amended as follows:-

The doors to bedroom number 1, and associated balcony, on the first floor, shall be omitted, and a window, of the same dimensions and with a cill at the same level as the proposed adjoining window to the north (serving the walk-in-wardrobe), shall be provided in its stead.

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 residential amenity.

3. The flat roof area, above the single storey rear extension, shall not be used as a balcony or terrace at any time. Access shall be for maintenance purposes only.

Reason: In the interest of protecting the residential amenities of adjoining property.

4. The dwelling shall be used as a single dwelling unit and shall not be used for any non-residential activity or multiple dwelling use without a prior grant of planning permission.

Reason: In the interest of orderly development.

5. The external finishes of the proposed extension (including roof tiles) shall be the same as those of the existing dwelling in respect of colour and texture. Details of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. The surface water generated by the proposed additional footprint (roofs and pavements) shall not be connected to the drain/sewer (as it was shown on the planning application drawing), but it shall be discharged by direct infiltration to the soakpit or similar built in own garden. The soakpit shall have no overflow to the drain/sewer. (If the applicant wants to use a water butt or rainwater harvesting tank, then that shall have an overflow to a soakpit).

Reason: In the interest of public health and the protection of adjoining property from flooding.

7. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public 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 residential amenities of property in the vicinity.

8. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the subject site without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling.

9. The construction of the 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 intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

10. 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.

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

Dated this day of 2017.