



An  
Bord  
Pleanála

**Board Order**  
**PL 06D.248605**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17A/0214**

**Appeal** by Gráinne Moran care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 4<sup>th</sup> day of May, 2017 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Alterations to previously approved planning permission planning register reference number D13A/0147 consisting of: (1) whole house to be used as a single family dwelling; (2) internal alterations to lower ground floor; (3) floor in lower ground floor dining space to be lowered; (4) increase in extension to lower ground floor by approximately 8 square metres; (5) provision of bedroom and bathroom in upper ground floor return; (6) previously approved bathroom on the first floor return does not form part of the proposal and (7) inclusion of three number rooflights and associated site works at 3 Upper Prince Edward Terrace, Blackrock, County Dublin which is a protected structure.

## **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 Development Plan 2016-2022, to the pattern of development in the area, and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the character of the subject protected structure or of neighbouring protected structures 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, as modified by drawings and documents lodged with the appeal on the 31<sup>st</sup> day of May, 2017, 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 in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) The treatment of the original section of wall between the proposed dining and kitchen areas, on the lower ground floor, will be as proposed on drawing number A-PA104 submitted with the application.
- (b) The works hereby approved shall be carried out under the professional supervision on-site of an R.I.A.I. accredited Grade 1 or 2 Conservation Architect or expert with specialised conservation expertise, or equivalent, in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011 and in accordance with Best Conservation Practice.

**Reason:** In the interest of residential amenity, and to ensure that the integrity of this protected structure is maintained and that all works are carried out in accordance with best conservation practice.

3. 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.

4. Details, including samples, of the materials, colours and textures of all the external finishes proposed to be used shall be submitted, to, and agreed in writing with, the planning authority, prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure that the external appearance of the proposed extension does not adversely affect the character of the protected structure.

5. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 to 1400 hours 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 amenities of adjoining residential occupiers.

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.

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

**Dated this      day of                      2017**