



An
Bord
Pleanála

**Board Order
PL 06D.248863**

Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D17A/0079

Appeal by Andrew and Helen Jennings of Drummartin House, Drummartin Terrace, Goatstown, Dublin and by the residents of Drummartin Terrace care of Jack Keogh of 42 Drummartin Terrace, Goatstown, Dublin against the decision made on the 15th day of June, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to John Murphy care of CODA Architects Limited of 1 Swanville Place, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Subdivision of rear garden and construction of two number two-storey detached dormer houses with one number new vehicular entrance and relocation of an existing vehicular entrance onto Drummartin Terrace, all at 76 Cnoc Na Si (Knocknashee), Drummartin Terrace, Goatstown, 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, scale and design of the proposed development, the pattern of development in the area, and the provisions of the Dún-Laoghaire Rathdown County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with the existing built development in the area, would not seriously injure the residential amenities of neighbouring properties or the visual amenity of the area and would be acceptable in terms of pedestrian and traffic safety. 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 plans and particulars submitted to the planning authority on the 24th 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 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 windows on the northern elevation of House A and the southern elevation of House B shall be glazed with obscure glass, which shall be permanently maintained.
- (b) All boundary walls shall be rendered on both sides and capped.
- (c) Gates shall be so designed as not to be capable of opening outwards.

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 interests of residential and visual amenity, and of pedestrian and traffic safety.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed houses without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed houses.

4. Details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue black or slate grey only, including ridge tiles.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the attenuation and 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.

6. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 hours 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 residential amenities of property in the vicinity.

8. 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.

