



An  
Bord  
Pleanála

**Board Order**

**PL 06D.249228**

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

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

**Planning Register Reference Number: D17A/0459**

**Appeal** by David Crowley care of Brazil Associates of The Studio, Maple Avenue, Stillorgan, County Dublin against the decision made on the 16<sup>th</sup> day of August, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Michael Collins care of BGDA Architects of Amberwood Studio, Washington Lane, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolish the existing builders workshop and store and construct a three bedroom, two storey mews dwelling incorporating an integral car parking space and private open space to the rear and all associated works on site at 33A Montpelier Lane, rear of 33 Montpelier Parade, 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 Dún Laoghaire-Rathdown County Development Plan 2016-2022, it is considered that the proposed redevelopment of the site to provide a mews dwelling would, subject to compliance with the conditions set out below, be in accordance with both Zoning Objective “A” and the status of Montpelier Lane as one within which mews dwellings are acceptable in principle. The size and design of this mews dwelling would be appropriate to the site’s position both within the vicinity of the protected structure at number 33 Montpelier Parade and within the context of the Monkstown Architectural Conservation Area, would meet the standards set out for mews dwellings in Section 8.2.3.4(x) of the Development Plan and would provide a satisfactory standard of amenity to future occupiers. Access and servicing arrangements would be satisfactory. No Appropriate Assessment issues would arise. The proposed mews dwelling would be compatible with the visual and residential amenities of the area and 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 20<sup>th</sup> day of July, 2017 and by the further plans and particulars received by An Bord Pleanála on the 10<sup>th</sup> day of October 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 bin store shall be sited either in the garage or incorporated within the front elevation of the mews dwelling.
  - (b) The garage shall be redesigned, as appropriate, to facilitate access and egress in the presence of a parked car on the opposite side of Montpelier Parade.

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 the amenities of the future occupiers of the mews dwelling and in order to ensure ease of vehicular manoeuvre.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

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

5. 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.

6. The mews dwelling shall be used as a single dwelling unit and it shall not be sub-divided in any manner or used as two separate habitable units

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

7. 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 any of the proposed dwelling 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 dwellings.

8. 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      2018**