



Planning and Development Acts 2000 to 2018

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D17A/1015

Appeal by Charton Homes Limited care of BPS Planning Consultants of 23 Saval Park Road, Dalkey, County Dublin against the decision made on the 27th day of April, 2018 by Dun Laoghaire Rathdown County Council in relation to an application by the said Charton Homes Limited for permission for retention of revisions to the access road to Shankill House from Rathmichael Haven (originally permitted under planning register reference number D14A/0110) and for the proposed development of new entrance gates, new stone gate posts and stone entrance walls and associated site and landscaping works on a site of approximately 0.925 hectares at Shankill House (a protected structure - RPS number 1829), Ferndale Road, Shankill, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for retention of revisions to the access road to Shankill House from Rathmichael Haven (originally permitted under planning register reference number D14A/0110) and for the proposed development of new entrance gates, new stone gate posts and stone entrance walls and to refuse permission for the proposed reduction in the size of the curtilage and site area).

Decision

GRANT permission for retention of revisions to the access road to Shankill House from Rathmichael Haven (originally permitted under planning register reference number D14A/0110) and for the proposed development of new entrance gates, new stone gate posts and stone entrance walls in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for proposed reduction in the size of the curtilage and site area based on the reasons and considerations marked (2) under.

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 (1)

Having regards to the residential zoning of the site set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022 and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the revised access road to be retained and the proposed new entrance gates, stone gate posts and stone entrance walls would not seriously injure the visual amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, completed and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 3rd day of April, 2018 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 width of the new vehicular entrance onto Rathmichael Haven shall be a maximum of 3.5 metres.

Reason: In the interest of pedestrian and traffic safety.

3. 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 residential amenities of adjoining property in the vicinity.

Reasons and Considerations (2)

It is considered that the proposed reduction in the size of the curtilage and site area relating to Shankhill House would have a material and adverse impact on the setting and character of the protected structure and would be contrary to the proper planning and sustainable development of the area.

Paul Hyde

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.