



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0134

Appeal by Ann and Niall Fortune care of Tim Chapman Architects of 69 Sallins Bridge, Sallins, County Kildare against the decision made on the 28th day of May, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Ray Donohoe of 17 Norwood, Ballybrack, Glenageary, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing ground floor garage and lower ground floor (semi-basement) single storey extension. Construction of one and two storey (that is ground floor over lower ground floor semi-basement level) extension to (west) side. Excavation under ground level to extend existing lower ground floor (semi-basement) accommodation. Alterations to the existing dwelling including: Change windows to doors and create new windows to lower ground floor level (semi-basement) to side (east) façade. Create new window at ground floor level to side (east) façade. Widen window opening and create external doors at semi-basement (lower ground floor) level to front (south) façade including excavation to form external courtyard. Demolish existing roof dormer to south and part of existing dormer

window to north and construct new dormer windows to north and south sides of roof. Create new roof lights to south and east roofs. Block-up existing vehicular entrance and create new entrance from Adelaide Road with associated dishing of kerb. Site works including construction of two metres high boundary to front (south) garden and extend boundary walls with timber extension to two metres height. Construction of single storey shed to front (south) garden. Related services including surface water soakaway, all at 'Alderley', Adelaide Road, Glenageary, 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to the location of the site in an established residential 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 seriously injure the residential amenities of adjoining properties or visual amenities of the area and would be acceptable in terms of pedestrian and traffic safety and convenience. 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 2nd day of May, 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 height of the proposed two-storey extension shall be reduced by 600 millimetres so that it is no higher than the existing wall to the north of the proposed living room. Revised elevations and sections 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 developer shall -
 - (a) ensure that the footpath including the grass verge in front of the proposed relocated vehicular entrance shall be dished and strengthened at their own expense including any moving/adjustment of any manhole/chamber covers and all to the satisfaction of the appropriate utility company and planning authority,
 - (b) reinstate and strengthen the footpath/dishing/grass verge in front of the existing vehicular entrance at their own expense and all to the satisfaction of the planning authority, and
 - (c) block up the existing vehicular entrance at their own expense.

With regard to (a) the dishing and strengthening of the footpath including the grass verge in front of the proposed relocated vehicular entrance and (b) the reinstating and strengthening of the footpath/dishing/grass verge in front of the existing vehicular entrance, the developer shall contact the planning authority to ascertain the required specifications for such works and any required permits.

Reason: In the interests of pedestrian and traffic safety.

4. The developer shall ensure that any proposed new driveway/parking area shall be constructed with sustainable drainage systems (SuDS) and to the satisfaction of the planning authority. The developer shall ensure that drainage from the proposed relocated driveway/parking area will not enter onto Adelaide Road.

Reason: In the interests of pedestrian and traffic safety.

5. The external finishes of the proposed extension, including roof tiles/slates, shall be the same as those of the existing dwelling in respect of colour and texture. In the case of the western boundary, the finishes shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. 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.

7. The site and building works required to implement the development shall be carried out only between the hours of 0800 and 1800 Mondays to Fridays, between 0800 and 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.

8. 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.

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. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

11. 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

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

Dated this day of 2018.