



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0716

Appeal by Jerry and Imelda Collins care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 12th day of September, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Maurette and Peter McGovern care of Henry J. Lyons Architects of 51-54 Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of a single storey bay window and replacement with an enlarged single storey bay window and porch to the front and the part demolition and replacement of a single storey extension, including an additional five square metres to the rear at 19A Sydney Avenue, Blackrock, 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, 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 visual amenities of the area or the residential amenities of property in the vicinity, would not be detrimental to the character or setting of any protected structure, and would not adversely impact on the character of the Sydney Avenue candidate Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to issue a split decision, the Board agreed with the Inspector's reasons and considerations with regard to the grant of permission for the rear extension, and decided not to accept the Inspector's recommendation to refuse permission for the extension to the front. The Board agreed with the view of the planning authority that the works proposed to the front would not visually detract or result in any adverse impact on the candidate Architectural Conservation Area and would enhance the building and improve its presentation when viewed from the public realm. 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, 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. 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.

3. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times shall 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.

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

Dated this day of 2019.