



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0817

Appeal by David Haworth and Eileen Massey care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 18th day of October, 2018 by Dún Laoghaire-Rathdown County Council in relation to the application for permission for development comprising variations to a previous planning application (planning register reference number D18B/0065) these are: (i) the removal of the existing conservatory structure at ground floor level with an additional area of 11.9 square metres to the family area over the existing conservatory footprint and the removal of the chimney to the side, as per the previous planning application, (ii) as per the previous planning application, alterations to the existing window and door openings on the ground and first floors of all facades, enlargement of the existing balcony area to the front entrance at first floor level with the addition of a new terrace area over the proposed conservatory, new roof light to the side and front elevations and alterations to the roof to the side and over the bay window to the front with the addition of a Juliet balcony to the front façade at first floor level, (iii) a proposed open shelter/canopy to the east garden and (iv) as per the previous planning application, enlargement of the front patio area, alterations to existing external side stair and associated site works at Killiney Hill House, Killiney Hill Road, Killiney, County Dublin in accordance with the plans and

particulars lodged with the said Council (which decision was to grant subject to conditions a permission for alterations to the existing window and door openings on the ground and first floor facades, enlargement of the existing balcony area to the front entrance at first floor level, new roof light to the side and front elevations, alterations to the roof over the bay window to the front with the addition of a Juliet balcony to the front façade at first floor level, provision of an open shelter/canopy to the east garden, enlargement of the front patio area and alterations to the existing external side stair and to refuse permission for the removal of the existing conservatory structure at ground floor level and the provision of a an additional area of 11.9 square metres).

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 current Dún Laoghaire-Rathdown County Development Plan 2016-2022, the location of the site in an established residential area and its zoning for residential purposes and to the nature and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be at risk of flooding and would not seriously injure the residential or visual amenities of the area. 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 received by the planning authority on the 24th day of August 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 applicant shall comply with all of the conditions of the previous permission granted under planning register reference number D18B/0065, unless required to do so otherwise by any condition attached to this permission.

Reason: In the interest of clarity.

3. Details and samples of the material, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. 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.

5. 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.

Dave Walsh

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

Dated this day of 2019.