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**Planning and Development Acts 2000 to 2018**

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

**Planning Register Reference Number: D18A/0903**

**Appeal** by Damian and Siobhán Gill of Harbourville, 11 The Quay, Bulloch Harbour, Dalkey, County Dublin against the decision made on the 15<sup>th</sup> day of November, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Chariot Inns Limited care of Dorman Architects of C1, The Steelworks, Foley Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of the existing two-storey return to the rear and construction of a new part two-storey part single rear extension: alterations to cottage's first floor and its roof including raising the ridge height; alterations to cottage's front elevation and side elevation; part conversion of front garden to hardstanding area with a new vehicular entrance gate to the front garden boundary wall and new side pedestrian gate; provision of dished footpath and all associated site and landscaping works, at Roseanna, Quayside, 12 Bulloch Harbour, Dalkey, 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 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, 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 or visual amenities of the area and would not cause adverse flooding impacts. 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. Details of the materials, 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.

3. 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.



4. (a) Prior to commencement of development, the applicant shall submit to the planning authority, for its written agreement, a proposal for future proofing the proposed extension from the worst effects of possible flood damage in an extreme event. In particular, all electrical sockets should be raised above skirting board levels and, if at all possible, be located above the 0.1% Annual Exceedance Probability event levels. The floor vents shall be at the highest possible levels. The applicant shall also consider making provision for the installation of demountable flood barriers (the side fixing points themselves should be relatively unobtrusive) to the front and rear of the property.
- (b) The surface water generated by the increase in footprint (roof and pavements) shall not be discharged directly to the drain/sewer but it shall be discharged to a rainwater harvesting tank, as shown on the planning application drawings submitted on the 21<sup>st</sup> day of September, 2018. The tank shall be put in place and kept in use at all times. If the tank is taken out of use, it shall be replaced with a soakpit with a high-level overflow to the drain.
- (c) All new hardstanding areas shall be constructed either with gravel or a specifically designed permeable paving stone system.

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



5. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturday 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.

6. All service cables associated with the proposed development, such as electrical and telecommunications cables, shall be located underground.

**Reason:** In the interest of visual amenity.

7. The footpath in front of the proposed vehicular entrance shall be dished at the road junction in accordance with the requirements of the planning authority and at the applicant's own expense. The width of the proposed new vehicular access shall be a maximum of 3.5 metres and shall be located as close as practicable to the northern property boundary in order to provide maximum visibility to the south for vehicles exiting the property. Details of the revised vehicular access, driveway, parking and hardstanding areas, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the proper planning and sustainable development of the area.



8. 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 clarity, orderly development and amenity.

9. 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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**Chris McGarry**

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

**Dated this            day of            2019.**