



Planning and Development Acts 2000 to 2019

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D19A/0239

Appeal by Stephen Rooney care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 31st day of May, 2019 by Dún Laoghaire-Rathdown County Council to refuse a permission to the said Stephen Rooney for the proposed development.

Proposed Development: Change of use of existing ground floor vacant commercial unit to a residential studio apartment unit. The proposed change of use includes the following works: (i) alterations to the fenestration treatment to front, side and rear elevations at ground floor including relocating the existing front entrance door; (ii) provision of private amenity space for the proposed studio apartment in the existing rear garden of 3 Lanesville Grove; (iii) alterations to the existing stairs serving the current two-bed unit on the first and second floor of Number 3 Lanesville Grove; (iv) alterations to the internal layout of the ground floor of Number 3 Lanesville Grove to accommodate the provision of the studio apartment and all necessary ancillary works to facilitate the development, all at 3 Lanesville Grove, Monkstown Farm, Monkstown, 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 site's location on serviced urban lands and the policy and objective provisions in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 in respect of residential development, to the nature, scale and design of the proposed development and to the pattern of existing and permitted development in the area, 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 or of property in the vicinity and would be acceptable in terms of traffic and pedestrian safety. Furthermore, the Board considered that, the proposed change of use would be in accordance with the zoning objectives for the area, as set out in the Development Plan, and would not materially contravene the Development Plan. 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. Prior to commencement of work on site, the developer shall submit details of the following for the written agreement of the planning authority:
 - (a) Proposed measures for front boundary treatment of the proposed studio apartment.
 - (b) Provision of one number cycle stand.

Reason: In the interests of traffic safety and sustainable development.

3. Details of the materials, colours and textures of the proposed fenestration treatment 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 and 1800 from 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.

6. 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.

Michelle Fagan

Member of An Bord Pleanála

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

Dated this day of 2019.