



An
Bord
Pleanála

Board Order ABP-307722-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0322.

Appeal by Martin and Irene Browne of Magenta, Avoca Avenue, Blackrock, County Dublin against the decision made on the 2nd day of July, 2020 by Dun Laoghaire-Rathdown Council to grant subject to conditions a permission to Hanobu Limited care of Extend Architects of 14 Castle Street, Dalkey, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Minor amendments to previously approved development granted under planning register reference number D19A/0201 (An Bord Pleanála reference number ABP-305309-19). The alterations comprise of 1: proposed addition of basement plant area (18.5 square metres total) below apartment building, 2. reduction in area of penthouse apartment (unit 14) in the North East corner, to be replaced with increased terrace area (5.5 square metres total), 3. revisions to bin store and pedestrian entrance off Grove Avenue, 4. amended fenestration detail on all elevations with some additional openings, amendments to finishing materials, omission of chimneys, amendments to finished floor level of units 1, 2 and 3. 5. amendment to Southern boundary wall between the subject site and the adjoining neighbour 'Forgney Grove', 1 Grove Avenue, 6. and all associated site works necessary to facilitate the development. The development is otherwise identical to that approved, in terms of site and road layout, car parking, landscaping, drainage,

unit area/heights and number of units to be provided, all on lands at Old Meadow, Priory Avenue/Grove 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 overall scale, design and minor nature of the proposed amendments to an already permitted development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity, 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 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. Except for amendments granted on foot of this permission, the development shall otherwise be carried out in strict compliance with the terms and conditions of the planning permission granted under planning register reference number D19A/0201 (An Bord Pleanála reference number ABP-305309-19).

Reason: In the interest of clarity.

3. Details of the revised palette of 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.

4. Prior to commencement of development, the developer shall engage the services of a qualified arborist to act as consultant, for the entire period of construction activity. The developer shall inform the planning authority in writing of the appointment and name of the consultant prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all the recommendations in the tree reports and plans. To ensure the protection of trees to be retained within the site, the developer shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Arboricultural Method Statement and Tree Protection Plan in the submitted tree report. All tree felling, surgery and remedial works shall be completed upon completion of the

