



An
Bord
Pleanála

Board Order
ABP-307779-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0320

Appeal by JKP Nursing Home Limited care of Noonan Moran Architecture of 139 Baggot Street, Dublin against the decision made on the 7th day of July, 2020 by Dún-Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Extension of the completed nursing home as approved under planning register reference numbers D08A/1073 and PL 06D.232813, D11A/0489 and D13A/0684. The proposed development comprises of a second floor extension located over the two-storey east wing of the existing nursing home comprising of an additional five bedrooms including all associated internal alterations (152 square metres), at Altadore Nursing Home (a protected structure), Glenageary Road Upper, Dún Laoghaire, 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 the zoning of the site for residential purposes, to the location of the site in an established residential area, 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. In addition, it is considered that the proposed development would not negatively impact on Altadore House, which is included on the Record of Protected Structures. 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 An Bord Pleanála on the 31st day of July, 2020, 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 development shall provide for a reduced floor area in accordance with drawings numbers 20_038_PL_011, 20_038_PL_015, and 20_038_PL_017 received by An Bord Pleanála on the 31st day of July, 2020.

Reason: In the interest of clarity.

3. The windows on the south-west elevation shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential properties.

4. 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.

5. Water supply and drainage arrangements, including the 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.

6. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

7. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

8. 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.

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

Dated this day of 2021.