



An  
Bord  
Pleanála

**Board Order**  
**ABP-307921-20**

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## **Planning and Development Acts 2000 to 2020**

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

**Planning Register Reference Number: D20A/02930**

**Appeal** by Rachel Keane care of Roger Hofler Architects of 129 Lower Georges Street, Dún Laoghaire, County Dublin against the decision made on the 16<sup>th</sup> day of July, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Change of use from office to a new two bed residence consisting of a new light weight first floor structure on top of existing ground floor plan with new balcony to west side, roof lights to front and rear roof and zinc cladding to front, side walls and roof. Ground floor converted into two bedrooms with ancillary accommodation. New front window. Basement to be a games room with ancillary accommodation. Back wall to be altered to provide enlarged roof light to basement. Existing front courtyard to be used as a car port, all at Station House, Sorrento Drive, 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**

The proposed development is located in an area zoned “to protect and/or improve residential amenity” in the Dún Laoghaire-Rathdown County Development Plan 2016 to 2022. Having regard to the modest scale of the proposed development in an appropriately zoned area, and subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the residential amenity of property in the area and would be in accordance with the provisions of 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling, including window and door joinery, 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

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

4. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.

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

5. Details for the management of waste, including the provision of facilities for the storage, separation and collection of the waste shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

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

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

7. 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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**Paul Hyde**

**Member of An Bord Pleanála**

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

**Dated this            day of            2021.**