



An
Bord
Pleanála

Board Order ABP-308021-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0410

Appeal by Paul Sharkey and Jennifer Sharkey care of 12 Proby Square, Blackrock, County Dublin and by Tom Coogan and Grellan Shortall care of 21 Linden Vale, Proby Square, Blackrock, County Dublin against the decision made on the 30th day of July, 2020 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Marcello O'Reilly and Rebecca Fleetwood care of Declan Collins Architects of 22 Abbey Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the Council.

Proposed Development: Erection of a two bedroom single storey detached dwellinghouse to rear of existing house, accessing to Proby Square and all associated site works at Rear of 11 Proby Square, 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 policies and objectives as set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022, the zoning objective for the site, and the design, scale, layout and nature 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 amenities of the area, would be acceptable in terms of traffic and pedestrian safety, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the current layout and use of the open space on the site and the planning history of the site, and considered that the proposed subdivision of the site would not result in a deficiency of private open space for the existing development, would not lead to a shortfall of car parking for the existing development, would not constitute piecemeal development, would be acceptable in terms of traffic and pedestrian safety and would not seriously injure the amenity of the occupants of the residence on the site.

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 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 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. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

5. (1) The width of the proposed widened vehicular entrance shall be a maximum of 3.5 metres.

- (2) The footpath in front of the proposed vehicular entrance shall be dished and strengthened at the applicant's own expense including any moving/adjustment of any water cocks/chamber covers and all to the satisfaction of the appropriate utility company and the planning authority. With respect to the dishing and strengthening of the footpath, the applicant shall contact the planning authority to ascertain the required specifications for such works and any required permits.

Reason: In the interest of orderly development.

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. 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.

