



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D19A/1023

Appeal by Paul O'Toole of 9 Clarinda Park North, Dún Laoghaire, County Dublin and by others against the decision made on the 4th day of September, 2020 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to James Corrigan care of de Blacam and Meagher Architects of 4 Saint Catherine's Lane West, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for demolition of two-storey extensions (124 square metres) and outbuildings to the side and rear of the existing house. Construction of two-storey over basement extension to the side and rear of the main house (287 square metres) and associated site works. Construction of a seven square metres single storey extension to the mews house to the rear of the site. Amendments to the entrance steps and a new front door. Replacement of lead roof covering to the front elevation bays with zinc. Re-rendering the existing house with block marked render to match existing. Installation of wrought iron railings to the first-floor window sills of the existing house, all at Ardeevin House, Ardeevin Road, Dalkey, County Dublin, as revised by the further public notices received by the planning authority on the 19th day of June, 2020 and the 12th day of August, 2020.

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 pattern of development in the area, to the design and scale of the proposed extensions and to the provisions of the Dún Laoghaire-Rathdown County Council Development Plan 2016 – 2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the character of the streetscape and would not seriously injure the amenities of nearby dwellings. 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 submitted on the 19th day of June, 2020 and on the 12th day of August, 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. 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. The hardstanding areas shall be constructed in accordance with the recommendations of Sustainable Drainage Systems (SuDS) and to the satisfaction of the planning authority.

Reason: In the interest of public health and to ensure a proper standard of development.

3. Details of the external finishes to the proposed extension 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. The existing site boundary walls shall not be damaged or undermined as a result of the proposed works. Specifically, measures shall be implemented to provide for temporary support structures to be installed during works to allow for retention of the existing western boundary wall. Any damage to existing walls shall be repaired in a manner which matches the existing walls on site.

Reason: In the interest of orderly development.

5. Site development and building works shall be carried out only between the hours of 0800 and 1700 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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 property in the vicinity.

6. The construction of the development shall be managed in accordance with the Construction and Environmental Management Plan submitted to the planning authority on the 19th day of June, 2020.

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 the 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.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.