

An
Bord
Pleanála

Board Order
ABP-308794-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0486

Appeal by Des and Paul Roche care of Brian Donovan Architect of 131 Rathgar Road, Dublin against the decision made on the 2nd day of November, 2020 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Siun and Ronan Browne care of Brazil Associates Architects of The Studio, Maple Avenue, Stillorgan, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development consisting of renovation and extension works to include: (1) demolition of existing non original two-storey extension to rear of existing coach house on northeast side of existing house and its replacement with a new two-storey over basement extension comprising store on lower ground floor, kitchen pantry on ground level and master bedroom ensuite and dressing room on first floor linked to existing house. The proposed works will include internal replanning on non original layout within existing coach house, (2) provision of new openings in gable wall of existing house at upper ground level and first floor levels and revised layout and alterations at first floor level of existing house to connect to new master bedroom, (3) internal alterations at lower ground floor level (basement level) to remove existing modern kitchen and provide new guest bedroom, ensuite

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and family room within existing structure, (4) upgrading works to existing windows, doors, new mechanical and electrical installation and essential roof repairs to existing house, (5) proposed relocation and widening of existing vehicular entrance to position adjoining east boundary on Booterstown Avenue. Existing entrance will be blocked up and permission sought to remove existing separation wall between the parking area and the front garden area of Park Lodge, works will also provide for revised side gates and vehicular entry to side of coach house and (6) all associated landscaping and drainage works to facilitate the proposed development at Park Lodge (a Protected Structure) 36 Booterstown Avenue, Booterstown, 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 nature, form, scale and design of the proposed development within a residentially zoned area in the Dún Laoghaire-Rathdown County Development Plan 2016 to 2022, and to the Protected Structure status of 36 Booterstown Avenue within a candidate Architectural Conservation Area (cACA), it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential and visual amenities of the area, would not adversely affect the setting and character of the Protected Structure within the candidate Architectural Conservation Area and would not pose a risk to pedestrian and traffic safety. 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 12th day of October 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. A schedule and appropriate samples of all materials to be used in the external treatment of the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development/conservation.

3. All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. The developer shall comply with the following requirements in relation to the proposed restoration of the protected structure, which shall be carried out in accordance with the document "Architectural Heritage Protection - Guidelines for Planning Authorities" issued by the Department of Arts, Heritage and the Gaeltacht in 2011:

- (a) any work to the exterior façade shall be undertaken so that it matches the original existing wall finish and shall be in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,
- (b) the existing roof slates, chimney stacks and pots shall be retained, any replacement roof slates shall match the existing,
- (c) where possible the remaining rainwater goods and bargeboard shall be repaired and reused, the replacement rainwater goods and bargeboard shall match the original in terms of design and materials, and

- (d) replacement windows shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and material.

Detailed elevation drawings to a scale of not less than 1:50 showing these amendments, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to ensure an appropriate standard of restoration works for this protected structure.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

6. 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.

Reason: In the interest of public health.

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

Reason: In the interest of public health.

8. Details for the proposed entrance and the footpath treatment, which shall be dished at the road junction, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian safety.

9. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery, and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

10. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.



11. 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.

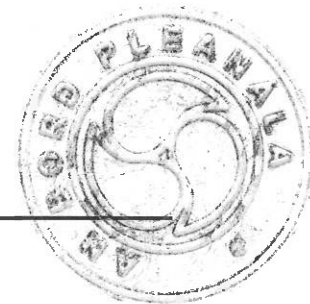
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 29th day of June 2021.