

An  
Bord  
Pleanála

Board Order  
ABP-309474-21

---

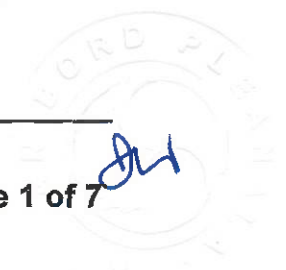
**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dun Laoghaire Rathdown County Council**

**Planning Register Reference Number: D20A/0176**

**Appeal** by Paul Kane care of ODKM Architects of 39 Fitzwilliam Street Upper, Dublin and by Rahim Traynor care of ODKM Architects of 39 Fitzwilliam Street Upper, Dublin against the decision made on the 21<sup>st</sup> day of January, 2021 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Arnage Carrickmines Limited care of Hamilton Young Architects of 23 Frederick Street South, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for development consisting of: The subdividing of lands, to provide for:- a) the retention of the existing single storey house with associated site; b) the development of the rear and side of the existing remaining site to construct three number single storey detached dwellings, 10A and 10B being 168 square metres each and 10C being 165 square metres, with associated site works including gardens and off-street car parking; c) forming a new access road and footpath off Glenamuck Cottages, Rockville Drive to serve the proposed development; d) new boundaries to define dwelling sites from each other and adjoining sites not owned by



applicants; all at 10 Glenamuck Cottages, Rockville Drive, Carrickmines, 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 land use zoning of the site in the Dún Laoghaire Rathdown County Development Plan, 2016-2022 and the current Kiltiernan/Glenamuck Local Area Plan, to the infill nature of the site, to the design and scale of the proposed development, and to the nature and pattern of development in the vicinity, 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 or the amenities of property in the vicinity, would represent an appropriate residential density, would comply with the provisions of the current Kiltiernan/Glenamuck Local Area Plan and the Dún Laoghaire Rathdown County Development Plan, 2016-2022, and would be acceptable in terms of traffic safety and



convenience. 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 to the planning authority on the 16<sup>th</sup> day of December 2020, and by the further plans and particulars received by An Bord Pleanála on the 19<sup>th</sup> day of March 2021, 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.

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

3. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

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.

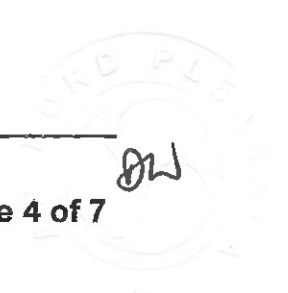
5. Details of the site entrance shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This shall include the vehicular entrance onto Glenamuck Cottages being a maximum of four metres in width. The adjoining footpath to the proposed dwelling shall be continuous and be dished across the entrances to house numbers 10a and 10b and be a minimum of 1.8 metres in width.

**Reason:** In the interest of traffic and pedestrian safety.

6. Prior to commencement of development, details of the following shall be submitted to, and agreed in writing with, the planning authority:-
  - (a) a letter of agreement from the ESB that the required relocation of the existing ESB pole to accommodate the proposed development is deemed acceptable, and
  - (b) plans and particulars of the proposed relocation of the said existing ESB pole.

The required relocation of the existing ESB pole to accommodate the proposed development shall be carried out to the satisfaction of the ESB and all at the applicant's own expense.

**Reason:** In the interest of clarity.



7. Details of all boundary treatments, including boundary treatments with adjoining properties, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

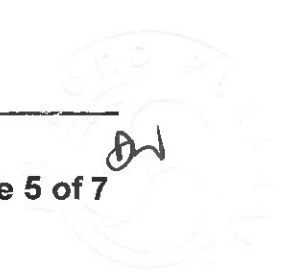
**Reason:** In the interests of visual and residential amenity.

8. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between the hours of 0800 and 1400 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.

9. 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.

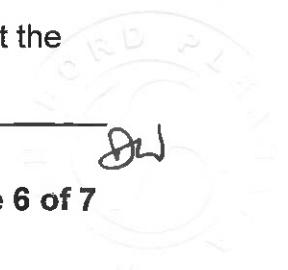
**Reason:** In the interests of public safety and residential amenity.



10. 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.

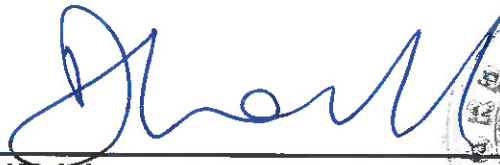
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

11. The developer shall pay to the planning authority a financial contribution in respect of the Glenamuck District Distributor Road Scheme and Surface Water Attenuation Ponds Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

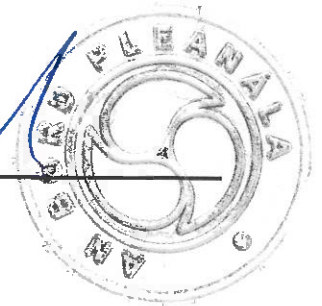


---

**Dave Walsh**

**Member of An Bord Pleanála**

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



Dated this 30<sup>th</sup> day of September 2021.