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**Planning and Development Acts 2000 to 2020**

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

**Planning Register Reference Number: D20A/0609**

**Appeal** by Katrina Foley care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin and by Michael Anglim care of Feargall Kenny of 45 Hainault Drive, Foxrock, Dublin against the decision made on the 26<sup>th</sup> day of February, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to John and Anne O'Donnell care of Sarah O'Donnell of 43 Seapoint Avenue, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Alterations to the existing north-facing boundary to the site to include: at the existing west opening, the removal of vehicular access and the installation of un-automated pedestrian gates; and the installation of set-back gate piers and automated gates, to accommodate pedestrian and vehicular access, at the existing east opening. Ancillary works comprise of making good the existing wall and railings, threshold paving and planting. This application relates to a Protected Structure. All at 43 Seapoint Avenue, Blackrock, County Dublin. Further public notices were received by the planning authority on the 4<sup>th</sup> day of February, 2021.

## **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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and to the nature, form and design 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 residential amenities of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety, would not be detrimental to the integrity, character and setting of the protected structure or other protected structures in the vicinity, and would not adversely impact on the character of the Monkstown Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

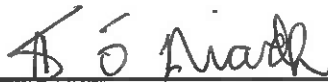
## Conditions

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 4<sup>th</sup> day of February, 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. The automated gates proposed at the eastern site access onto Seapoint Avenue shall be omitted from the development. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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



Terry Ó Niadh

**Member of An Bord Pleanála**

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

Dated this 13<sup>th</sup> day of July, 2021.

