



An
Bord
Pleanála

Board Order
ABP-309831-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/0024

Appeal by William T. Tilley of “Seabury”, 11 Burdett Avenue, Sandycove, County Dublin against the decision made on the 5th day of March, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to The Burdett Settlement care of Cathy and Jude Lagan, care of Buckley Partnership Architects of 5a Quinsborough Road, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Alteration and extension of the existing three-storey semi-detached dwellinghouse. The works shall include: (1) at first and second floor levels the partial removal of the existing rear (east) external wall and minor extension, (2) provision of a single storey rear extension and associated alterations, (3) alterations to the north elevation including the removal of the existing bay window and the provision of a new bay window serving ground and first floor levels, (4) alteration and refurbishment of the existing roof including the provision of new rooflights, (5) extension of the existing first floor balcony to the north of the existing house, (6) removal of existing vehicular gate on Marine Parade, and the provision of a new vehicular gate on Burdett Avenue including the provision of new replacement boundary

walls to Marine Parade and Burdett Avenue, all at 12 Burdett Avenue, Sandycove, 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 residential zoning provision of the site and to Policy AR5 of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 to retain and reuse older buildings, and to the design and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would make a positive contribution to the character and appearance of the streetscape particular the streetscape along Marine Parade, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would comply with the relevant provisions of the development plan. 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 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. Details of the materials, colours and textures of all the external finishes to the 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.

4. 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.

5. (a) The new driveway/parking area shall be constructed in accordance with Sustainable Drainage Systems (SuDS) and also to prevent the discharge of surface water onto the public footpath/road.
- (b) The footpath at the new entrance shall be dished at the road junction in accordance with the requirements of the planning authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure a proper standard of development and in the interest of pedestrian safety.

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, noise management measures and off-site disposal of construction/demolition waste.

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

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 9th day of Sept. 2021.