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**Planning and Development Acts 2000 to 2020**

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

**Planning Register Reference Number: D20A/0768**

**Appeal** by Sharon Murphy and Eamon Drea care of Bright Design Architects of 4 Seafield Park, Booterstown, County Dublin against the decision made on the 27<sup>th</sup> day of May, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Con and Sarah Fleming care of ARC Design of Willowgrove, Delgany, County Wicklow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (A) Demolition of side single storey habitable room along with the first-floor extension over part of this habitable room. (B) Construction of new one and two-storey side extensions to main dwelling which will convert the house from existing three-bedroom to four-bedroom dwelling. (C) Proposed dormer window to rear of main dwelling roof slope along with the insertion of proposed roof windows to attic rooms (non-habitable). (D) Elevational and floor plan layouts changes to the dwelling. (E) All associated site development and drainage works to facilitate the development; ancillary works for foul water to public drainage system and surface water disposal system into soakaway at 8, Seafield Road, Booterstown, Blackrock, 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 pattern of development in the area and the design and scale of the proposed extensions and to the provisions of the Dún Laoghaire-Rathdown County 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 to the planning authority on the 4<sup>th</sup> day of May, 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 proposed development shall be amended as follows:
  - (a) The eaves height to the front shall be reduced so that it sits in line with the existing eaves height.

A complete set of 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 interest of visual amenity.

3. 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.

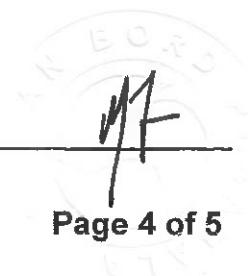
4. Details of the materials, colours and textures of all the external finishes to the proposed extensions shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.


5. Site development and building works shall be carried out only between the hours of 0700 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.

6. 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.

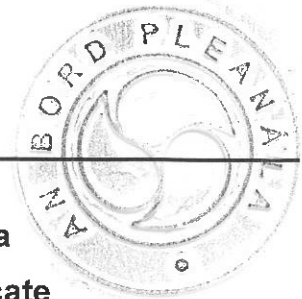


Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this 14<sup>th</sup> day of December 2021