

An
Bord
Pleanála

Board Order
ABP-310868-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D21A/0138

Appeal by Peter Owens of 18 Brehons Chair, Kellystown Road, Rathfarnham, Dublin against the decision made on the 17th day of June, 2021 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Audrey Conlon care of Ferreira Architects of Rosemount Hall, Rosemount Estate, Dundrum Road, Dundrum, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission is sought for an amendment to the existing planning permission for five detached houses granted under planning register reference number D17A/0530, An Bord Pleanála reference number PL 06D.249163. Amendments include for a revised application site boundary (red line) allowing for the omission of circa 158 square metres of land to the north-west of the site and for the inclusion of circa 213 square metres of adjoining lands to the north-east of the site, giving a net increased area of circa 55 square metres from the original granted planning permission area. All this is to allow for the realignment of the entrance road, integrated services and all associated site development and landscaping works., all at lands to the rear of the existing residential developement known as Brehons Chair

(adjacent to Brehons Chair monument), Kellystown Road, Rathfarnham, 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 provisions of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, to the planning history of the site, to the location of the site in an established residential area, and to the nature, form, scale and design of the proposed development, which consists of the minor realignment of an already approved access road, 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. 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 21st 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. Apart from any departures specifically authorised by this permission, the development shall be completed in accordance with the terms and conditions of the permission granted under planning register reference number D17A/0530, An Bord Pleanála reference number PL 06D.249163, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The following shall be complied with in full:
 - (a) the developer shall fully comply with the recommendations and measures outlined in the submitted Quality Audit prepared by Bruton Consulting Engineers Limited, as received by the planning authority on the 21st day of May, 2021,

- (b) the road including footpaths, turning area and kerbs shall comply with the detailed standards of the planning authority for such road works

Reason: In the interest of traffic and pedestrian safety.

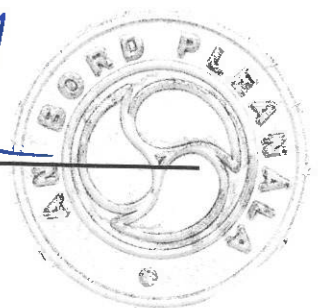
4. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.



Dave Walsh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this 15th day of October 2021.