

An  
Bord  
Pleanála

Board Order  
ABP-311008-21

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**Planning and Development Acts 2000 to 2021**

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

**Planning Register Reference Number: D21A/0444**

**Appeal** by Noel McGloin of 10 Clifton Lane, Monkstown, County Dublin against the decision made on the 7<sup>th</sup> day of July, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Yves Carnac and Áine Coffey care of ODAA of First Floor, Number 46 Lower Leeson Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission is sought for demolition of: (A) 48 square metres existing single storey side extension; (B) Boundary wall and entrance gate to Clifton Lane; (C) 60 square metres single storey garage structure to Clifton Lane; (D) Walls within the curtilage of the site; (E) Partial demolition of south and west elevations of existing mews dwelling; (F) Internal modifications and refurbishments to ground and first floor levels, including the removal of partition walls and Velux style rooflight. Construction of: (G) 11 square metres single storey side extension; (H) New boundary wall and entrance gate to Clifton Lane; (I) New 36 square metres single storey shed structure; (J) New first floor windows to south and west elevations and all associated site and landscaping works, including new paving, all at 9 Clifton Terrace and Clifton Lane, Monkstown, County Dublin (A Protected Structure).

*ML*

## **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, to the pattern of development in the area and to the scale 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 visual amenities of the area or of residential amenity of property in the vicinity, 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, 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) Drawing Number 2004 L(--)-100\* shall be updated to accurately detail the size of the private open space area serving the mews dwelling.
  - (b) The width of the proposed widened/new vehicular entrance shall be a maximum of 3.5 metres and the footpath shall be dished.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to the commencement of development, details of the materials, colours and textures of all external finishes including samples, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interests of orderly development and the visual amenities of the area.

4. The landscaping scheme shown on Drawing Number 2004 L(--) 100\*, as submitted to the planning authority with the planning application, shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

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

5. The flat roofed areas shall not be used or accessed as a roof garden/patio.

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

6. Water supply and drainage arrangements, including the 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.

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

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

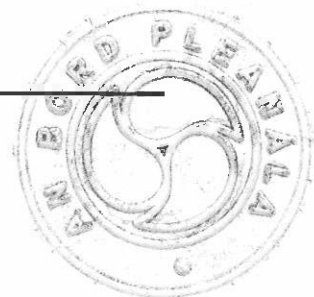
**Reason:** In the interests of public safety and residential amenity.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

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



Dated this 7<sup>th</sup> day of Feb. 2022.