

Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/1097

Appeal by Declan and Vera Collins care of BPS, Planning and Development Consultants of Ballinatone Lower, Greenan, County Wicklow against the decision made on the 9th day of February, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Richard Lombard care of James Mitchell Architect of 15 Carrs Mill, Portrane Road, Donabate, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of the existing single storey rear conservatory, construction of a new single storey ground floor rear extension with kitchen, dining, utility and sitting room, the conversion of the existing garage into a home gym and playroom with new single storey glazed bay to the front, a two-storey front extension to ground and first floor bedrooms and bathrooms, the construction of a single storey bicycle and bins shed, widening of the existing vehicular access to Harbour Crescent to be 3.5 metres wide with new electric sliding gate, provision of a new pedestrian gate, new fencing behind the existing hedge line on Harbour Crescent and associated external works at 1 Harbour Crescent, Dalkey, 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.

Reasons and Considerations

Having regard to the nature, extent and design of the development proposed, to the general character and pattern of development in the area 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 or residential amenities of property in the vicinity and would not be out of character with 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, 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. (a) The proposed bike shed located in the front garden shall be omitted in its entirety.
- (b) The proposed 1.8 metre high timber fencing to be positioned behind the existing hedge line shall be constructed to ensure no damage or loss to the existing hedge. All hedging shall be adequately protected from damage. Any plants that die, are removed or become seriously damaged or diseased, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

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 interests of visual and residential amenity.

3. All external finishes shall accord with the palette of materials and finishes included on the submitted plans and elevations.

Reason: In the interest of visual amenity.

4. 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.

5. Any gates proposed for any new or widened vehicular entrance shall not be an automatic electronic gate in accordance with Section 8.2.4.9 Vehicular Entrances and Hardstanding Areas (i) General Specifications of the current County Development Plan 2016-2022.

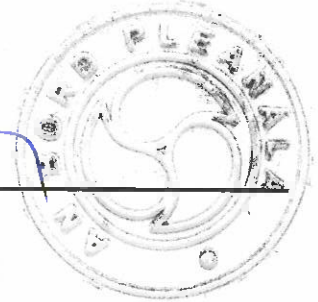
Reason: In the interest of the proper planning and sustainable development of the area.

6. Site development and building works shall be carried out 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.

7. 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.



John Connolly

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

Dated this 14th day of JUNE 2022