



An
Bord
Pleanála

Board Order
ABP-312982-22

Planning and Development Acts 2000 to 2021

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/1100

Appeal by Susie O'Nestor and Conor O'Byrne care of Armstrong Planning of 12 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 10th day of February, 2022 by Dun Laoghaire-Rathdown County Council for permission for development comprising demolition of existing garage to front of dwelling, single storey extension and external sheds/WC to rear of dwelling. Construction of new single storey and two-storey split level extension (117.52 square metres) with rooflights to rear of existing dwelling (47.30 square metres). Construction of new porch (1.0 square metres) to front of dwelling and provide new window at ground floor level to existing gable wall of house for new bathroom. Construction of new boundary wall to northern boundary to rear of dwelling. Modifications to existing vehicular entrance to front of dwelling. All above with associated site works, all at 11 Farrenboly Cottages, Windy Arbour, Dublin in accordance with plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for construction of new porch (1.0 square metres) to front of dwelling and provide new window at ground floor level to existing gable wall of house for new bathroom and modifications to existing vehicular entrance to front of dwelling and to refuse permission for construction of new

P.C.

single storey and two-storey split level extension (117.52 square metres) with rooflights to rear of existing dwelling (47.30 square metres)).

Decision

GRANT permission for the above 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and its zoning for residential purposes, the location of the site in an established residential area, the nature, form, scale and design of the proposed development, the planning history pertaining to the site and the existing and emerging pattern of development in the area, 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 and would otherwise be an acceptable form of development. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



P.C.

Conditions

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 9th day of March, 2022, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development 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. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.



4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

5. 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.



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.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *20th* day of *January* 2023.

