

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/1154

Appeal by Eugene and Lynette O'Sullivan care of Patrick Shaffrey of 18 Dartmouth Square, Ranelagh, Dublin and by Daragh T. Walsh and Darragh Kilbride care of Dermot Brennan Architect of 48 Highfield Park, Dundrum, Dublin against the decision made on the 23rd day of February, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Ruth and Tommy Maher care of Brazil Associates of The Studio, Maple Avenue, Stillorgan, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Restoration, refurbishment and extension of existing two-storey dwellinghouse (a Protected Structure) to include the following: Demolition of existing modern upvc single storey conservatory to the south-east of the existing return and existing modern single storey extension to the north-west of the existing return and construction of a new single storey/part two-storey extension to the rear to include new boot room, guest bedroom and ensuite, kitchen/pantry/dining and garden room with ancillary utility/plant room, gym and sauna on ground floor with two bedroom and ensuites, one with balcony to first floor. Internally within existing house works to include: living room G03 – widening of opening within existing room,

formation of new window opening to rhs of existing living room fireplace, removal of modern fireplace to rear of existing living room, formation of new 1,400 millimetre wide opening and steps within rear wall of living room to create link with proposed library and removal of second door to hall. Den G02 – works to include new terrace door opening to north-east wall to side garden and provision of new fireplace. Hall G01 – works to include removal of non-original stairs/balustrades and replacement with new stairs/balustrade to replicate original design, widening of existing opening to G05 to 1,500 millimetres and reposition steps further back within existing hall. Conversion of G05 within existing return to study/link to new kitchen dining with removal of existing chimney breast and formation of new opening. Alterations to existing windows either side of new central opening and conversion of existing lean-to extension to form new library and reception WC. Works to first floor return to form new link to proposed new bedroom accommodation and new study and upgrading of existing opening on half landing. Alterations at first floor level to F05 and rear bedroom to form new master bedroom, dressing room and ensuite F06 and F07. Removal of non-original partition to form bedroom two F02 complete with dressing area F04 and ensuite F03 and provision of two number heritage roof lights to each space. Refurbishment works to include upgrading and replacement of mechanical and electrical services, underfloor heating to all ground floor rooms within main house. Internal drylining of external walls within first floor rooms of main house with approved breathable insulation, restoration and upgrading of existing historic sash windows and doors where necessary to include sensitive repairs to all original joinery and decorative plasterwork. Careful re-slating of existing roof to main house/bay window and return and repairs to existing chimneys, repair/reinstatement of existing decorative barge boards including refurbishment of existing cast iron gutters. Landscaping works to front, side and rear including removal of existing tarmac tennis court to form new lawn and all associated site works at The Laurels, Torquay Road, Foxrock, Dublin (a Protected Structure).



Decision

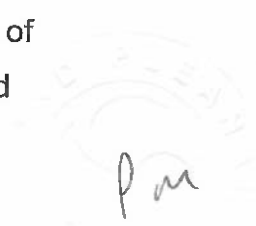
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the residential land use zoning objective which applies to the site, the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in design, form and scale and would not adversely impact on the character or setting of the Protected Structure or any neighbouring structure or the residential 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, 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. All works to the Protected Structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

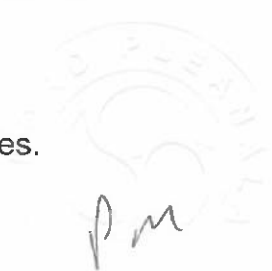
Reason: To secure the authentic preservation of this Protected Structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

3. The following details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:
 - (a) Drawings demonstrating the retention of the hallway door serving Room G03 as a dummy.
 - (b) Details/specifications of the proposed internal insulation boards and section drawings demonstrating the interface with window/door architraves.

Reason: In order to protect the original proportions, plan form and character of the Protected Structure.

4. The gable windows serving bedroom number three (F07) and bedroom number four (F10) at first floor level of the proposed extension shall be permanently maintained in obscure glazing.

Reason: To prevent overlooking of adjoining residential properties.



5. (a) The first floor balcony serving bedroom number three (F07) of the proposed extension shall be omitted and replaced by a Juliet balcony or similar, which shall be inaccessible.
- (b) No part of the roof of the ground floor extension shall be used as an amenity space.

Reason: To protect the amenities of adjoining residential property.

6. Surface water 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. Details in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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.

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8. 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.



Peter Mullan

Member of An Bord Pleanála

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

Dated this *26th* day of *July* 2023.