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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D22B/0116**

**Appeal** by Liz Barry care of BPS Planning and Development Consultants Limited of Ballintone, Greenan, Wicklow against the decision made on the 29<sup>th</sup> day of April, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Paul Dillon and Sophie McGirr care of O'Donoghue and Associates Architects of First Floor, 46 Lower Leeson Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The refurbishment and extension of the existing dwelling. Works to include (a) demolition of existing first floor level and roof structure, (b) the construction of a replacement first floor structure, (c) alterations to the existing elevations at basement and ground floor level, (d) provision of new external terraces to the front and rear of the property at ground and first floor level, (e) reconfiguration of entrance steps and associated landscaping works to the front, rear and side of the property, all at Koti, Cunningham Road, Dalkey, County Dublin.

  
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## 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 pattern and character of development in the area, the design and scale of the proposed extension, the nature and extent of the refurbishment works to the existing dwelling, and the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the zoning objective (A – residential) for the site and would align with Policy PHP19 that aims to conserve and improve existing housing stock through supporting improvements and adaption, and with Section 12.3.7.1 (Design of extensions to dwellings) and Section 12.3.9 (Promote the retention and retrofit of dwellings), would not seriously injure the visual amenities of the area and would not adversely impact on the residential amenity of surrounding properties. 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. An opaque glazed screen 1.8 metres high shall be installed at the following locations:
  - (a) along the western boundary of the first floor extension for the length of the corner window to the front (north) elevation,
  - (b) along the western boundary of the first floor extension for the length of the corner window to the rear (south) elevation and the 18.75 square metres terraced area as delineated on the Proposed First Floor Plan drawing number 2013-L(-- ) 102 accompanying the application,
  - (c) the east side of the 18.75 square metres terraced area to the rear (south) elevation as delineated on the Proposed First Floor Plan drawing number 2013-L(-- ) 102 accompanying the application, and
  - (d) the east side of the terrace to the front (north) elevation.

**Reason:** In the interest of protecting the amenities of adjoining property.

3. The roof of the first floor extension shall not be used as a balcony or terrace.

**Reason:** To protect the amenities of adjoining property.

4. 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.

5. Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

6. 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.

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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 the 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**

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

Dated this *27* day of *September* 2023.