



An
Bord
Pleanála

**Board Order
ABP-313710-22**

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0183

Appeal by Donal Nolan care of Atelier Rae, Architecture and Design of Station House, Sorrento Drive, Dalkey, County Dublin against the decision made on the 6th day of May, 2022 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Restoration and upgrade works including demolition of the existing dilapidated single-storey extensions to the rear, replacement of the existing slate roof and front window to Castle Street, construction of a new two-storey extension and dormer to the rear, and all associated site and drainage works. The proposed development is intended to match the heights, massing and materiality of the concurrent proposed development at the adjoining property 59B Castle Street, all at 59A Castle Street, 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.

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Reasons and Considerations

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the 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 visual amenities, character or built heritage of the area or residential amenity of property in the vicinity. 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 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. Prior to the commencement of any works on site, the developer shall submit revised drawings for the written agreement of the planning authority, showing the proposed first floor master bedroom element of the proposal omitted and the internal layout amended accordingly. This will result in a reduction in the first floor element by approximately 4.6 metres.

Reason: In order to protect the visual amenities and built heritage of the Architectural Conservation Area

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3. 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.

4. 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 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 amenities of property in the vicinity.

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 and surface water management.

6. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

7. The construction of the development shall be managed in accordance with a Final Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

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



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.



Oonagh Buckley

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

Dated this 17th day of July 2023