

Planning and Development Acts 2000 to 2021

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0139

Appeal by Cormac Little of 16 Monkstown Road, Monkstown, County Dublin against the decision made on the 3rd day of June, 2022 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Cilline Bane and Kerstin Zimmerman care of O’Keeffe Architects Limited of Suit One, The Avenue, Beacon Court, Bracken Road, Sandyford, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of an existing single storey (circa 13 square metres) rear extension and the development of a new two-storey extension to the side/rear with a new single storey extension to the rear, the provision of a vehicular access and parking to the front of the house. Works will include associated remodelling and upgrading of the existing house, drainage and landscaping, all at 18 Monkstown Road, Monkstown, 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 site's location on serviced urban lands, and the policy and objective provisions set out in the Dun Laoghaire Rathdown County Development Plan 2022-2028 in respect of residential development, the nature, scale and design of the proposed development, and the pattern of existing and permitted 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 or of property in the vicinity, and would be acceptable in terms of traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 12th day of May, 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. The dwelling shall be used as a single dwelling unit only and shall not be subdivided in any manner or used as two or more habitable units.

Reason: To prevent unauthorised development.

3. Details of the materials, colours and textures of all the external finishes and boundary treatments 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. 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. These arrangements shall be agreed in writing prior to commencement of development.

Reason: In the interest of public health.

5. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann (formerly Irish Water) prior to commencement of development.

Reason: In the interest of public health.

6. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. The developer shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site works and shall repair any damage to the public road arising from carrying out the works.

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

8. All necessary measures shall be taken by the developer to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians, during construction works.

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

9. The site and building works required to implement the proposed development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 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.

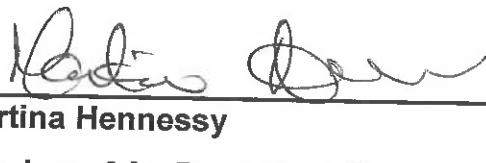
Reason: In order to safeguard the residential amenities of adjoining property in the vicinity.

10. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

11. 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.



Martina Hennessy

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

Dated this *27th* day of *June* 2023.