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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D22B/0343**

**Appeal** by Carol McGowan, Paul McGowan and Anne McGowan care of Pietro Sava Registered Architect of 23 Mountjoy Square, Dublin against the decision made on the 14<sup>th</sup> day of September, 2022 by Dún Laoghaire Rathdown County Council to grant subject to conditions a permission to Eoin O'Tierney and Sara Staunton care of Adrian Hill Architects of 15 The Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (1) The removal of the existing flat roof single storey rear outbuildings and bay window, (2) the construction of a part single, part two-storey extension with two number associated roof lights to the rear, (3) the construction of a single storey extension to the front with new pitched roof across the elevation and (4) all ancillary site and landscaping works at 30 Cedarmount Road, Mount Merrion, Blackrock, 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, to the pattern of development in the area and to the nature, form, scale and design of the proposed development, 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. 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, and as amended by the plans and particulars received by An Bord Pleanála on the 3<sup>rd</sup> day of November, 2022 that is, drawings titled 'Existing Ground Floor Plan – drawing number (ABP) 10 and 'Proposed Ground Floor Plan – drawing number (ABP) 200, 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. The proposed development shall be as amended as follows:
- (a) the glazing for the ensuite window on the rear elevation shall consist of manufactured opaque or frosted glass and this shall be permanently maintained,
  - (b) the western facing side of the corner window in bedroom 3 shall be omitted, and
  - (c) a 1.8 metres high wall for the length shall be constructed along the areas identified as 'paved areas' and 'terrace' as a boundary treatment between number 30 and adjoining properties of number 28 and 32 Cedarmount Road.

Revised drawings including revised site plans showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of residential amenity and orderly development.

3. The external finishes of the dormer shall harmonise with those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

4. Water supply and drainage arrangements, including the 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.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 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.

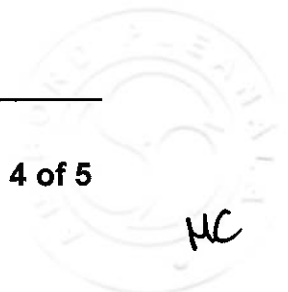
**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. 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, dust management measures, protection of the existing water mains, and off-site disposal of construction/demolition waste through to management of traffic arising from construction works, deliveries and removal of waste.

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


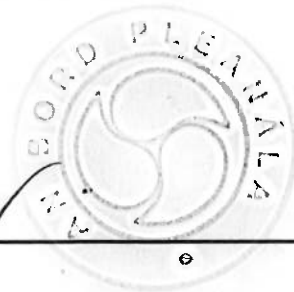
7. The developer and contractor shall prevent any mud, dirt, debris or building material being carried out onto or placed on the public road or adjoining properties as a result of the site works and repair any damage to the public road arising from carrying out the works.

**Reason:** In the interest of public safety.



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.

Mary Cregg

**Member of An Bord Pleanála**

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

Dated this 20<sup>th</sup> day of December 2023.