

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22B/0249

Appeal by Niall Meagher and Nicola Matthews of Windward, Knapton Road, Knapton Lane, Dun Laoghaire, County Dublin against the decision made on the 3rd day of October, 22022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to John Cassidy and Rebecca Hellen care of Urban Architecture and Construction of 35 Ranelagh, Ranelagh Village, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the demolition of the existing ground floor rear extension of the existing semi-detached house and proposed internal alterations to the existing ground and first floors, the construction of a new basement to the rear, a new two-storey side and rear extension with proposed solar panels, a new single storey rear extension with two number roof lights and a new single storey front extension with front porch, along with a proposed new detached, single storey ancillary structure to the rear of the property to provide a covered garden seating area and storage room and all landscaping and site works to facilitate the development at Clonlea, Knapton Road, Dun Laoghaire, County Dublin.

Decision

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

Reasons and Considerations

Having regard to the information submitted with the application 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 not seriously injure the visual or residential amenities of the area and 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, as amended by the further plans and particulars submitted on the 6th day of September, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The first floor glazing on the ensuite bathroom serving the master bedroom shall be of opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenity.

4. The development shall also be carried out in accordance with details of the 'Engineering Report' received by the planning authority as part of the further information submission on the 6th day of September, 2022.

The construction works including excavation and basement, and foundation works, shall be monitored on site by a qualified Engineer.

Reason: In the interests of amenity, orderly development and the proper planning and sustainable development of the area.

5. The following shall be strictly adhered to in the proposed development:

- (a) All necessary measures shall be taken by the applicant and contractor to avoid conflict between construction activities and vehicular/pedestrian movements on Knapton Road, and Knapton Lane during construction works.

- (b) The applicants shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road, Knapton Lane or adjoining property(s) as a result of the site construction works.

- (c) The applicant shall make good and repair any damage to the public road, Knapton Lane and any adjoining properties arising from carrying out the works. These repairs shall be carried out prior to the occupation of the dwelling all to the satisfaction of the planning authority.
- (d) All construction materials, machinery, skips and any other items associated with the construction shall be stored on site and not on the public road or Knapton Lane.

Reason: To protect the amenity of Knapton's Lane.

- 6. Details of the proposed treatment of the site rear boundary which faces onto Knapton's Lane shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Details of any future access to the site from Knapton's Lane shall be agreed with the planning authority in writing prior to the commencement of development.

Reason: To protect the amenity of Knapton's Lane.

- 7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

8. The entire dwelling shall be used as a single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units.

Reason: To prevent unauthorised development.

9. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

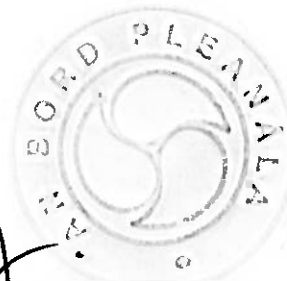
10. Site development and building works shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 and 1400 hours on Saturday and not at all on Sundays and Public Holidays.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: To safeguard the residential amenities of adjoining property in the vicinity

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.




Mary Gregg

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

Dated this 28th day of November 2023.