



Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0618

APPEAL by Orla and Graham Flannery care of Aughey O'Flaherty Architects of West Lane, Dun Laoghaire, County Dublin against the decision made on the 10th day of October, 2022 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Installation of 20 square metres of solar panels to the inner faces of the double A roof, the re-instatement of the front vehicular gate with a new sliding gate, and associated ancillary works, all at 23 Waltham Terrace, Blackrock, County Dublin (a protected structure).

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to ATTACH condition number 2 and AMEND as follows for the reason set out.

2. The proposed electronic sliding vehicular gate shall be replaced by inward opening manual gates. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety and visual amenity.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, the residential land use zoning objective which applies to the site, the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October, 2011, it is considered that the modifications to the development sought under this application, as required by the planning authority in its imposition of condition number 2, are warranted and that the proposed development, with the attachment of condition number 2, would be in accordance with the provisions of the development plan, in particular the criteria set out under Section 12.4.8 for this type of development, and would safeguard road users from any undue additional traffic hazard and safety issues. The development, as sought, would, therefore, be in accordance with the proper planning and sustainable development of the area.



Mary Cregg

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

Dated this 7th day of December 2023.