

An
Bord
Pleanála

Board Order ABP-315129-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/0644

Appeal by Simon Cullen, Cathal and Charles Crimmins care of IMP Planning of 75 Fitzwilliam Lane, Dublin against the decision made on the 21st day of October, 2022 by Dun Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Amendments to existing planning permission planning register reference number D20A/0989 which is for the demolition of existing industrial sheds and the construction of two number two-storey dwellings and associated site works at the rear of 68A and 70, access via a lane between these dwellings. These amendments comprise: Increased floor-to-ceiling height in ground floor by 225 millimetres, thereby increasing the total height of the building. Relocation of the northern façade of the dwelling further to the north and modifications on ground floor layout. Rearrangement of first floor layout with patios relocated at the centre of each of the houses, rather than the centre of the block, and the removal of double-height space in house A (number 69B) and the partial removal of the same in house B (number 69A). Associated modifications to the fenestration of the dwellings. New rooflight in house B, all at 68A and 70 George's Avenue, Blackrock, County Dublin.

Decision

GRANT permission for the above proposed development 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 Dun Laoghaire-Rathdown County Development Plan 2022-2028, the residential zoning objective for the area, the location of the proposed development in an urban area well served by public transport, and the scale and nature of the proposed modifications, it is considered that, subject to compliance with the conditions set out below, the proposed development would be a reasonable improvement of the accommodation permitted on site and would not seriously injure the residential and 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 proposed development shall be carried out and completed 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 proposed 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 amended as follows:

- The first-floor window in the west elevation of house 69b shall be omitted from the proposed development.

Reason: In the interest of residential amenity.

3. The conditions of planning permission planning register reference number D20A/0989 (An Bord Pleanála reference number ABP-309750-21) shall apply other than amended by this permission.

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

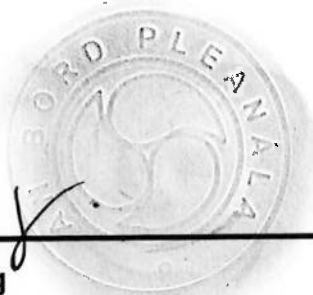

4. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

5. 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.

6. 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 the 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 the Board 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 18th day of January 2024.