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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D22A/0778**

**Appeal** by Ann and Bill O’Rahilly of 1 Knapton Road, Dun Laoghaire, County Dublin and by Simon and Derval Lavin of Glencoe, Knapton Road, Monkstown, County Dublin against the decision made on the 10<sup>th</sup> day of February, 2023 by Dún-Laoghaire-Rathdown County Council to grant permission subject to conditions to Brinnin Holdings Limited care of Extend Architects of 14 Castle Street, Dalkey, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of four number detached dwellinghouses (two number three bedroom, two-storey dwellings and two number four bedroom, three-storey dwellings) to the side garden of the existing detached dwelling Kilcoran House. Eight number on curtilage car parking spaces (two spaces per dwelling) and private amenity open space to each dwelling. New vehicular and pedestrian entrances off Knapton Road with new boundary walls and railings onto Knapton Road and partial removal of existing paid on street parking. Landscaping, tree planting and boundary treatments, SuDS surface water drainage, foul water and potable water connections. All ancillary works necessary to facilitate the development at site to the side garden of Kilcoran House, Knapton Road, Monkstown, County Dublin, as amended by the further public notices received by the planning authority on the 17<sup>th</sup> day of January, 2023.

## 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.**

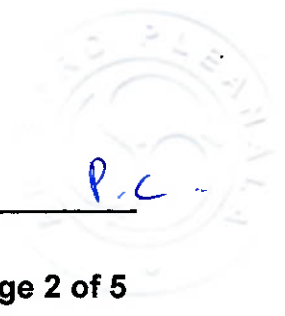
## Reasons and Considerations

Having regard to the Objective 'A' zoning of the site (to protect and/or improve residential amenity), and policies and objectives as set out in the Dún Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the proposed development, subject to compliance with the conditions set out below, would not significantly detract from the amenities of the area. The proposed development would be in accordance with the provisions of the current Development Plan 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 17<sup>th</sup> day of January 2023, 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. Prior to commencement of the proposed development, the developer shall agree in writing with the planning authority, the details of access to each of the proposed houses and details of the boundary treatment along the public road.

**Reason:** In the interests of traffic safety and visual amenity.

3. Site development and building works shall be carried out only between the hours of 0700 to 1900 Monday to Friday inclusive, 0800 to 1400 Saturdays and no works permitted on site on Sundays and Public holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been obtained from the planning authority.

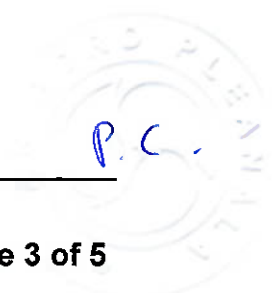
**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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

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

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interests of visual and residential amenity.



6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

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

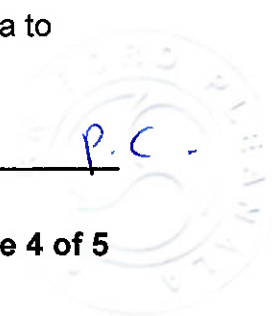
7. Arrangements for the disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of orderly development and public health.

8. 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 noise management measures and off-site disposal of construction/demolition waste.

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

9. 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.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

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



Dated this *29* day of *February* 2024.