

An  
Bord  
Pleanála

## Board Order ABP-316030-23

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### Planning and Development Acts 2000 to 2022

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

**Planning Register Reference Number: D22A/1004**

**Appeal** by Conor and Bre Costello of 22 Acorn Road, Dundrum, Dublin against the decision made on the 17<sup>th</sup> day of February, 2023 by Dún Laoghaire-Rathdown County Council in relation to the application for permission for development comprising (a) construction of a single-storey extension to the front of existing dwelling, (b) a first-floor extension over existing garage, to side of dwelling, including rooflights to side and rear, (c) widening of existing vehicular entrance to 3.5 metres, and all associated site works. Also retention permission for conversion of existing garage, and removal of chimney to side of existing dwelling at 22 Acorn Road, Dundrum, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for retention of the existing garage conversion and removal of chimney to side of existing dwelling and the widening of existing vehicular entrance to 3.5 metres and to refuse permission for the construction of a single-storey extension to the front of existing dwelling, and a first-floor extension over existing garage, to side of dwelling, including rooflights to side and rear).

## 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 limited scale of works proposed at ground floor level and to recent works carried out to renew the pipe beneath the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be likely to negatively impact on the surface water network in the area or be prejudicial to public health, would not give rise to a risk of flooding, and would, otherwise, accord with the zoning objective for the area as set out in the Dún Laoghaire-Rathdown County Development Plan 2022-2028. 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, 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 the commencement of development in respect of the ground floor extension, the applicant shall submit to the planning authority for written agreement:
  - (a) A Construction Management Plan specifically addressing how:
    - (i) the existing surface water pipe will be protected during the excavation and construction phases, and
    - (ii) access to the pipe for the purposes of future inspection or maintenance will be provided.
  - (b) Plans and sections of the proposed foundations, to include the alignment, depth and size of the existing surface water pipe that will run through the proposed foundations.

**Reason:** In the interest of public health and to protect the integrity of the existing surface water sewerage network.

3. A photographic record shall be prepared of:
  - (a) The location and depth of the existing surface water pipe including measurements, following the excavation of the ground for the construction of the foundations for the ground floor extension;
  - (b) The constructed foundations prior to being back filled to include details of the point where the surface water pipe runs through the foundations.

The photographic record and an Engineer's report describing the sub-surface works carried out, shall be submitted to the planning authority for its records.

**Reason:** In the interest of public health and safety and to ensure a record exists of works carried out adjacent to and above the surface water pipe.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 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 amenities of property in the vicinity.

5. Water supply and drainage arrangements including the attenuation and 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 and surface water management.

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



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

7. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

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.

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

Dated this *13<sup>th</sup>* day of *March* 2024