

An  
Bord  
Pleanála

## Board Order ABP-317693-23

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### Planning and Development Acts 2000 to 2022

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

**Planning Register Reference Number: D23A/0314**

**Appeal** by Justin McCarthy of Hillcrest, 6A Rathmichael Haven, Rathmichael, Dublin and by Liz and Ritchie Callaghan of 5 Rathmichael Haven, Ferndale Road, Rathmichael, Dublin against the decision made on the 5<sup>th</sup> day of July, 2023 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Ali Barker care of Manahan Planners of 38 Dawson Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of amendments to previously approved and now under construction five-bedroom detached dwelling house (planning register reference number D19A/0919) at Site 6B. These amendments include: Reduction in the size of the overall floor area of the house from a five-bed to a four-bed dwelling and reducing the floor area from 665 square metres to 390 square metres by eliminating the lower ground floor single storey basement wing located to the front of the main elevation of the building on the south-eastern end of the site and reducing the size of the basement under the two-storey main part of the house. Also reducing the widths of the remaining two-storey wing running from north-east/south-west in the rear courtyard from 11.3 metres to 8.2 metres and from 9.8 metres to 6.7 metres on the single storey section and from 7.5 metres to 6.7 metres on the single storey return wing running north-west/south-east at right angles in the rear courtyard.

Changes to the internal layout to facilitate the above floor area reductions and all associated changes to the external fenestration and replacing the previously approved plaster render/cut stone/rubble external wall finishes with a plaster render and eliminating the metal clad roof canopies around the parapets. Retaining the original timber and post and rail fencing along the north-eastern boundary and supplementing with laurel hedgerow and providing a 1.8-metre-high post and screen with laurel hedgerow to the top of the retaining walls on the north-eastern side of the courtyard to the rear and the terrace to the front. Any associated changes to site layout and site services, all at Site 6B, Rathmichael Haven, Ferndale Road, Rathmichael, Dublin.

## **Decision**

**GRANT permission for the above 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 scale, form and design of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not adversely impact the residential amenity of neighbouring property or the character and visual amenity of the existing building and surrounding streetscape, would comply with the Dun Laoghaire-Rathdown County Development Plan 2022-2028, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

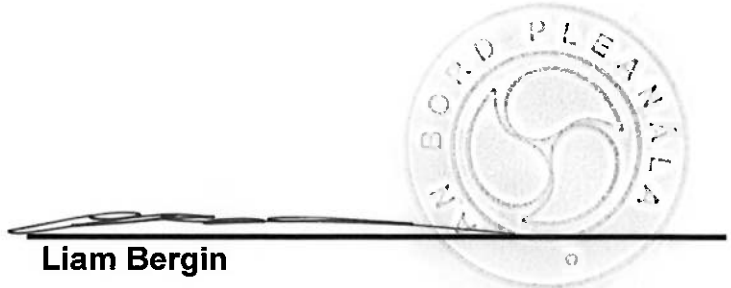
**Reason:** In the interest of clarity.

2. Save for amendments granted on foot of this permission, the development shall otherwise be retained and completed in strict accordance with the terms and conditions of planning register reference number D19A/0919, save as may be required by the other conditions attached hereto.

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

3. The flat roof areas/sedum roofs located at first floor level to the rear (south-east elevation) and to the side (north-east elevation) shall not be used as roof gardens/roof terraces and shall be accessed for maintenance purposes only.

**Reason:** In the interest of surrounding residential amenity.



**Liam Bergin**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 02<sup>nd</sup> day of April, 2024.