

An  
Bord  
Pleanála

## Board Order ABP-318189-23

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### Planning and Development Acts 2000 to 2022

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

**Planning Register Reference Number:** D23A/0490

**Appeal** by Alan and Tara Sullivan care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 11<sup>th</sup> day of September, 2023 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Leah Tracey care of Keenan Lynch Architects of 4 Herbert Place, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a single storey detached three-bedroom bungalow all at the rear of 72A, 72B, 70, 70B and 70C Beaumont Avenue, Dublin. The site utilises an existing access gateway between properties 72A and 74 Beaumont Avenue, Dublin.

### 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the standards for the development of backland and infill sites set out under sections 12.3.7.6 and 12.3.7.7 of the development plan, the residential zoning objective relating to the site, the pattern of development in the area, the infill nature and size of the site, the separation distance from existing dwellings, and the design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area or the amenities of property in the vicinity, and would be acceptable in terms of design, traffic safety and amenity. 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, which shall also provide for appropriate Sustainable Urban Drainage Systems (SuDS), shall comply with the requirements of the planning authority for such works and services.

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

4. 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.

5. Proposals for a naming/numbering scheme for the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the dwelling.

**Reason:** In the interest of urban legibility.

6. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

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

7. Site development and building works shall be carried out only between 0800 to 1900 hours Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

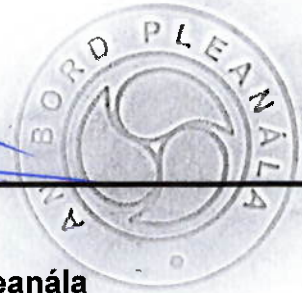

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

8. The construction of the proposed development shall be managed in accordance with a Construction and Environmental 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 proposed development, including noise and dust management measures, waste management and recycling of materials, environmental protection measures, welfare facilities, site deliveries, complaints procedure, pest control and traffic management arrangements.

**Reason:** In the interest of public safety, environmental protection, 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 the 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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**Liam Bergin**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board**

**Dated this 12<sup>th</sup> day of September 2024**