

An
Bord
Pleanála

Board Order
ABP-318348-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0531

Appeal by Úna and Beverly Hanly of “Ashley”, 42 Silchester Road, Glenageary, County Dublin and by Colm Hardiman and Avril Roche of 45 Silchester Road, Glenageary, County Dublin against the decision made on the 4th day of October, 2023 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Cian and Conor Crowley care of Cantrell and Crowley Architects and Interior Designers of Priory, Stillorgan Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The demolition of the existing single storey garage adjoining number 44 Silchester Road (27 square metres) and the party boundary wall between numbers 43 and 44 Silchester Road, and the construction of four number three-storey three bedroom houses with office/fourth bedroom at attic level, each measuring 190 square metres. The development will also include modifications to the front boundary wall to provide a vehicular entrance to the site from Silchester Road between the existing dwellings; the provision of eight number car parking spaces; hard and soft landscaping; boundary treatments including to the existing dwellings and all other associated site services and development works above and below

ground all at a 0.160 hectare site principally to the rear of numbers 43 and 44 Silchester Road, Glenageary, County 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 Láoghaire-Rathdown Development Plan 2022-2028, including the zoning objective for the site Objective A which is "to provide residential development and improve residential amenity while protecting the existing residential amenities," and Policy PHP18 which seeks to promote compact urban growth and Section 12.3.7.6 which sets out the standards for backland development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives set out in the Development Plan, would not seriously injure the visual or residential amenities of the area, or the amenities of property in the vicinity, would provide an acceptable standard of amenity for future residents, and would not, by reason of overlooking, lead to loss of privacy or amenity in neighbouring properties. 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 commencement of development, revised drawings showing compliance with the following requirements, shall be submitted to, and agreed in writing with the planning authority:
 - (a) The proposed first floor front balcony elements of each of the proposed dwellings shall be omitted from the proposed development.
 - (b) Access to the roof of the ground floor roof element hereby permitted shall be limited to access for maintenance purposes only.

Reason: In the interest of safeguarding neighbouring residential amenity.

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

Reason: In the interest of visual amenity.

4. 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.

5. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interests of public health

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

Reason: In the interest of visual amenity.

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

10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the Local Authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

11. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

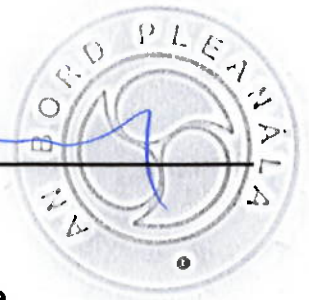
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Martina Hennessy

Member of An Bord Pleanála

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



Dated this 27 day of June 2024.