

An
Bord
Pleanála

Board Order

ABP-319411-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0044

Appeal by John and Rita McCarthy care of Diarmuid Ó'Gráda of 16 Louvain, Roebuck Road, Dublin against the decision made on the 13th day of March, 2024 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Casey McConnell and Jack Hegarty care of Andrew Stewart Architects of 41 Woodlawn Park, Churchtown, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing garage to side, outhouses to the rear and porch enclosure to the front and construction of two-storey extension to the side with rooflight, single-storey extension to rear with rooflight, bay window constructed to the front at first floor over the existing bay window, awning over main front entrance, new windows to front, detached garden shed to rear and widening of the existing vehicular entrance, all at Winamac, Bird Avenue, Clonskeagh, 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 zoning objective of the area, the design, layout and scale of the proposed development, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 proposed 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, the developer shall submit to, and agree in writing with, the planning authority revised proposals showing the omission of the proposed projecting bay window with pitched roof at bedroom number 1, as shown on drawing number 2305- P-104, and its replacement with a window flush with the existing front façade.

Reason: In the interest of protecting the residential amenity of the adjoining dwelling to the west.

3. The use of the proposed detached single storey garden shed shall be restricted to ancillary use as part of the residential use of the dwelling and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To protect the residential amenity of adjoining properties.

4. 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 to ensure a proper standard of development.


5. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, and any statutory provision replacing or amending them, no development falling within Classes 1, 3 and 5 of Schedule 2, Part 1 of the regulations shall take place within the curtilage of the house without a prior grant of planning permission.

Reason: In the interest of orderly development, and to allow the planning authority to assess the impact of any such development on the amenities of the area through the statutory planning process.

6. 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.


Mary Gurrie
Mary Gurrie

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

Dated this 10 day of October 2024.