



An
Bord
Pleanála

Board Order
ABP-319439-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3069/24

Appeal by Seamus Deeny and Gabrielle McKeown of 22 Merlyn Road, Ballsbridge, Dublin and by others against the decision made on the 12th day of March, 2024 by Dublin City Council to grant permission, subject to conditions, to Maeve Dupont care of Rachel Carmody Design Limited of 1/17 Suffolk Street, Dublin for the proposed development.

Proposed Development: The proposed development will consist of (a) the demolition of an existing two-storey side extension to the original property, and a proposed ground floor single storey extension to the rear, along with ground and first floor reconfigurations, and a dormer extension to the back with all associated alterations, site works and ancillary works - all proposed to the original property, (b) the construction of a four bedroom, two-storey with attic accommodation and a dormer extension to the back, end-of-terrace dwelling (18A) to the side of number 18 Merlyn Road, with all associated alterations, site works and ancillary works. New pedestrian access to the side of the new property is proposed and 18A Merlyn Road will use the existing vehicular access entrance which currently serves the existing house, (c) a new vehicular access entrance along Merlyn Road which will serve as the new entrance to 18 Merlyn Road with all associated alterations, site works

and ancillary works and (d) garden studio and storage structures to the rear of both 18 and 18A Merlyn Road with all associated alterations, site works and ancillary works at 18 Merlyn Road, 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 design, scale, orientation and siting of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not negatively impact on the residential amenities of neighbouring properties or the future occupants of the proposed development and would align with the prevailing character and setting of the surrounding area and would be in accordance with the Dublin City Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January, 2024 and the Quality Housing for Sustainable Communities, Best Practice Guidelines issued by the Department of the Environment Heritage and Local Government in 2007. 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 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. The proposed development shall be amended as follows:
 - (a) No part of the proposed development shall be built directly onto the boundary walls of the site.
 - (b) The proposed rear dormers shall be built separately from one another retaining a minimum gap of 0.5 metre between them so they are clearly viewed as two separate dormers.
 - (c) The proposed vehicular entrance and widening of an existing vehicular entrance shall be omitted, and a separate pedestrian access shall be provided to number 18 Merlyn Road with an inward opening gate.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

3. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

4. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

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

Reason: To safeguard the amenity of property in the vicinity.

6. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

7. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interests of reducing waste and encouraging recycling.

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.



Emer Maughan

Member of An Bord Pleanála

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

Dated this

8th

day of

April

2025.