

An  
Bord  
Pleanála

**Board Order**  
**ABP-319696-24**

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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D24A/0119/WEB**

**Appeal** by Mary and Noel McGowan of 29 Avondale Court, Blackrock, County Dublin against the decision made on the 23<sup>rd</sup> day of April, 2024 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Brian and Deirdre Barter care of Bright Design Architects of 4 Seafield Park, Booterstown, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission and retention permission for development consisting of demolition of single-storey boiler house to the rear, existing single-storey flat roof garage to the front and forming new openings to allow for new extensions to front and rear. Construction of new two-storey extension to the front with canopy. Construction of new part two-storey, part single-storey extension with one number rooflight to the rear and canopy. Alterations to existing opes at ground floor and provision of one number new window at first floor to the side elevation. External wall insulation and self-coloured render finish on the side and rear elevations. Widen existing vehicular entrance to 3.6 metres. New fence to rear/southern and northern boundary walls. All associated internal alterations, drainage and ancillary

works. Retention of existing 3.5 square metres timber bike shed to the front; all at 28 Avondale Court, Blackrock, 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 Dun Laoghaire-Rathdown County Development Plan 2022 -2028 and the zoning objective which applies to the site which seeks to provide residential development and improve residential amenity while protecting the existing amenities of the area, to the nature and extent of the proposed development and to the lack of any significant amenity impacts to neighbouring properties, it is considered that the proposed development and the development proposed to be retained, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would generally be acceptable in terms of design, traffic safety and convenience and would, therefore, be in accordance with proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission for the retention of the 3.5 square metres timber bike shed, the Board considered the scale and form of the bike shed and shared the opinion of the planning authority that it did not adversely impact on residential amenity of the neighbouring dwellings and was not detrimental to the streetscape, subject to compliance with the conditions set out below, and would, therefore, be in accordance with proper planning and sustainable development of the area.

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## Conditions

1. The development shall be carried out, completed and retained 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 front extension and bike shed shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The external finishes of the proposed extension shall be clad in brickwork and shall harmonise with those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

3. The entire dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.

**Reason:** To prevent unauthorised development.

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4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, and mitigation measures against flood risk, shall comply with the requirements of the planning authority for such works and services.

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

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

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

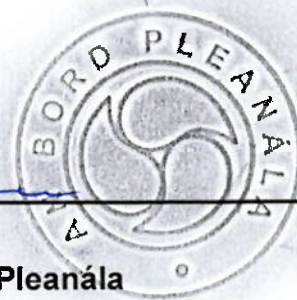
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and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, 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.

  
Marie O'Connor

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



Dated this 08 day of November 2024.