

An
Bord
Pleanála

Board Order
ABP-319888-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0189/WEB

Appeal by Margaret Corry and others care of BRS Planning and Development Consultants of P.O Box 13658, Dublin against the decision made on the 15th day of May 2024 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to WJZ Ireland Limited care of William Doran Architect of 7 Saint Mary's Road, Ballsbridge, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: New 3.5-metre-wide garden maintenance vehicular entrance with timber gates to rear garden off Harlech Downs (a Protected Structure) with removal of non-historic wall and installation of new brick gate piers to match existing brick capping to wall and all associated site and ancillary works, at Harlech House, Harlech Downs, 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 modest nature and extent of the proposed development, and the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential, visual or heritage amenities of the area or of property in the vicinity, would be acceptable in terms of traffic and pedestrian safety and would not set an undesirable precedent for similar developments in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by 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 gate shall incorporate timber cladding details of which shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

3. The gate shall open inwards only.

Reason: In the interest of traffic safety.

4. The developer shall provide a replacement semi-mature tree in the first planting season following commencement of development at a location in the immediate vicinity of the existing tree identified for removal. The replacement tree shall be provided at the developers' expense, with the species, maturity and location to be agreed in writing with DLRCC Parks Department prior to the removal of the existing tree, and to the satisfaction of the planning authority.

Reason: In interest of amenity and the proper planning and sustainable development of the area.

5. The vehicular entrance shall be a maximum of 3.5 metres wide, gates shall open inwards and not out into the public domain, and the grass verge in front of the vehicular entrance shall be dished and strengthened at the developers own expense including any moving / adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and planning authority. With regards to the dishing and strengthening of the footpath, including any grass verge, in front of the vehicular entrance, the developer shall contact the Road Maintenance and Control Section to ascertain the required specifications for such works and any required permits.

Reason: In the interest of traffic safety and the proper planning and development of the area.

6. Drainage arrangements, for 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.

7. The site development works, and construction works shall be carried out in such a manner as to ensure that the adjoining street is kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining road, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadway is kept in a clean and safe condition during construction works in the interests of orderly development.

8. The site and building works required to implement the development shall be carried out only between the hours of 0700 to 1900 Monday to Fridays, between 0800 to 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.

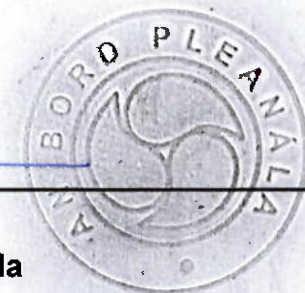
Reason: In order to safeguard the residential amenities of adjoining property in the vicinity.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 11th day of February 2025.