



An
Bord
Pleanála

Board Order ABP-319952-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0662

Appeal by Melanie Burke and Cormac Joyce care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 22nd day of May, 2024 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Robert and Siofra Acheson care of Tony Mullen Architects of 10/11 Marine Terrace, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing dwelling and the construction of a replacement two-storey dwelling and all associated site works, including lowering of existing ground levels at Seacroft Mews, Seafield Road, Killiney, County Dublin (site located in the Killiney Architectural Conservation Area). The development will also involve works to the adjoining property at Seacroft, Seafield Road, Killiney, County Dublin (a protected structure RPS number 1764), including the subdivision of the existing site to create new boundaries and a shared driveway and alterations to the front boundary wall to include the re-location and widening of the existing vehicular entrance gate.

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 location and character of the site and the surrounding area in a serviced urban area, together with the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including Specific Local Objective 130, Policy Objective PHP19 and the 'A' zoning objective for the area, as well as Policy Objectives HER8, HER9, HER13 and CA6, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable, would comply with local design guidance, and would not seriously injure the visual or residential amenities of 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 and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 25th day of April, 2024, 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, for the written agreement of the planning authority, all details of external materials and finishes, including:

- (a) elements of the existing structure to be retained and re-used in the new building,
- (b) the colour and tone of any proposed brick, and
- (c) the colour and composition of any external joinery and rainwater goods.

Reason: In the interest of visual amenity and architectural harmony.

3. The south-facing roof plane above bedroom number 3 shall include a standard Velux roof light.

Reason: To ensure a proper standard of residential amenity.

4. The landscaping scheme submitted to the planning authority on the 25th day of April, 2024 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. The tree protection strategy and all recommended measures outlined in the Arboricultural Report received by the planning authority on the 25th day of April, 2024 shall be carried out in full by the developer.

Reason: To facilitate the protection of trees to be retained on the site and in the interest of visual amenity.

6. The proposed access arrangements and works to the public footpath shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details of the proposed access arrangements and works to the public footpath to the planning authority for written agreement.
Reason: In the interest of traffic safety.
7. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to 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.
8. Prior to commencement of development, 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 proposed development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.
Reason: In the interest of public safety and amenity.
9. Prior to commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

10. 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.



Stephen Bohan

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

Dated this 11th day of November 2024.