

An
Bord
Pleanála

Board Order ABP-320172-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D24B/0230/WEB

Appeal by Kerry, Mark and Eleanor MacCarthy of 18 Cluny Grove, Killiney, County Dublin against the decision made on the 8th day of July, 2024 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Shane and Lorraine McKenna care of Fergus Flanagan Architects of 58 George's Street Upper, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Removal of existing single storey flat roof garden sheds and removal of single storey pitch roof conservatory to the rear of the existing detached property. Construction of a new single storey flat roof extension to the side and rear. Construction of flat roof covered terrace to the rear. Construction of a new flat roof dormer windows to each side of the existing pitched roof. Alterations to each elevation, including the removal of existing brick finish to the front and application of painted rendering of all external walls and replacing selected existing windows and doors. Internal alterations and all associated site works, all at 17 Cluny Grove, Killiney, 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 information submitted with the planning application and the appeal, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the zoning objective for the site and the policies with respect to residential extensions, as set out in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, would not seriously injure the visual or residential amenities of the area, 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. The glazing within the six number dormer windows at the northern and southern elevations shall be of opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass shall not be permitted.

Reason: To protect the residential amenities of the area.

3. Details, including samples, of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Any damage to the party boundary that would result as a consequence of any demolition works shall be made good at the expense of the developer.

Reason: In the interest of clarity.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

6. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 and 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: To safeguard the residential amenities of adjoining property in the vicinity.

8. The developer shall ensure that the site is appropriately maintained and that the public road remains free of any dirt and debris during the construction phase of development.

Reason: In the interest of proper planning and orderly development.

9. 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 5th day of November 2024.