

An
Bord
Pleanála

Board Order
ABP-320512-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0682

Appeal by Richard and Anita Cronin of 1 Hill Cottages, Killiney Hill Road, Killiney, County Dublin against the decision made on the 22nd day of July, 2024 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Shona Duignan care of O'Keeffe Architects of Suite One, The Avenue, Beacon Court, Bracken Road, Sandyford, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a new, low energy, flat roofed, two-storey, two-bedroom house of total floor area 158 square metres, with a balcony to the south. Associated site works to include a new gated vehicular entrance and associated landscaping and drainage, all at Victoria Lodge, Victoria Road, Killiney, County Dublin. The site is located within the Killiney Architectural Conservation Area.

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 nature, scale, location and design 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, as set out in the Dún Laoghaire-Rathdown Development Plan 2022 – 2028, would not seriously injure the visual or residential amenity of the area, and 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Notwithstanding the provisions of the Planning and Development Regulations, 2001, as amended, no additional development, including development which would otherwise be considered exempt development, shall be authorised on site without a further grant of permission from the planning authority or An Bord Pleanála on appeal.

Reason: To protect the amenity of the area.

3. Roof areas shall not be used as balconies or terraces, access to such spaces shall be for maintenance purposes only.

Reason: To protect the amenity of the area.

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

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

5. The 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: To prevent flooding and in the interest of sustainable drainage.

6. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) 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.

7. Existing stone from the boundary wall shall be used in the construction of the new vehicular entrance. Pointing shall be recessed and in keeping with the stone wall along Victoria Road.

Reason: In the interest of visual amenity and to maintain the character of the Killiney Architectural Conservation Area.

8. (a) Landscaping shall be carried out as detailed on the Landscaping plan drawing number 089524_LP_02 REVISION A, submitted to the planning authority on the 26th day of June 2024 unless otherwise agreed in writing with the planning authority.
- (b) Planting shall commence no later than the first planting season following commencement of development on site. 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.

9. The tree works and protection measures shall be implemented and retained throughout the construction period in accordance with the approved recommendations detailed within the Arboricultural Assessment report by Arborist Associates Ltd, received by the planning authority on the 26th day of June 2024.

Reason: In the interest of visual amenity and to protect trees and planting during the construction period.


10. The site development and building works required to implement the development shall be carried out only between the hours of 0800 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.


11. 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.



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



Dated this 12th day of DECEMBER 2024.