



An  
Bord  
Pleanála

## Board Order ABP-320576-24

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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D24A/0381/WEB**

**Appeal** by Karin Crofton care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 22<sup>nd</sup> day of July, 2024 by Dun Laoghaire-Rathdown County Council to refuse permission.

**Proposed Development:** Construction of a three-storey, five-bed, detached dwelling on the western side garden of the property. A new vehicular and pedestrian access point off Cross Avenue to serve the new dwelling. Removal of a section of the existing stone boundary wall to facilitate the new entrance. A new boundary wall to subdivide the property and all associated site development works, all at 'Renesca', Cross Avenue, Blackrock, County Dublin.

### **Decision**

**GRANT** permission for the above proposed development 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 be in accordance with the 'Objective A' zoning for the site and Section 12.3.7.5 (Corner/Side Garden Sites), 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 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 the following details for the written agreement of the planning authority:
  - (a) The proposed access shall be recessed by a minimum of one metre with concave bell mouth-shaped entrance, with walls and piers. Any gates shall open inwards.
  - (b) The proposed access shall not exceed 3.5 metres in width inside the splayed entrance.

The proposed development shall not commence without the prior written agreement of the planning authority to the agreed plans.

**Reason:** In the interest of pedestrian and traffic safety.

3. Details 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 and to ensure an appropriate high standard of development.

4. 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.

5. 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.

6. 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 and Impact Report by received by the planning authority on the 31<sup>st</sup> day of May, 2024. No tree removal shall be permitted to occur during the period of 1<sup>st</sup> March to the 31<sup>st</sup> August, unless otherwise agreed in writing with the planning authority.

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

7. Site development and building works required to implement the proposed development shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, 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 adjoining property in the vicinity.

8. 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.



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Declan Moore

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 16<sup>th</sup> day of JANUARY 2025.