



An
Bord
Pleanála

Board Order
ABP-320919-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0507/WEB

Appeal by Peter Richardson of 74 Albert Road Lower, Sandycove, Dublin against the decision made on the 2nd day of September, 2024 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Gregory and Kim Owens care of Kieran O'Malley and Company Limited of 2 Priory Office Park, Stillorgan Road, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Demolition of non-original single storey outbuildings to rear of existing house, (b) alterations to existing structure with formation of new opes to rear wall of existing house at ground and first floor levels, (c) alterations to existing rear roof structure with increased ridge height and addition of three number new dormer windows to west facing roof plane, (d) construction of new two-storey extension to rear of existing house comprising new kitchen and dining room at ground floor level and new family bathroom and master suite at first floor level, (e) relocation of existing pedestrian gate on north boundary wall to rear of site, (f) formation of new window ope at ground floor level on north gable of existing house and replacement of boast plaster with traditional lime render, (g) formation of new

vehicular entrance from internal side access lane with permeable driveway in accordance with SuDS and integrated refuse storage area, (h) construction of new single storey detached garden room as study and gym to rear of back garden, (j) hard and soft landscaping and all associated site works at Rose Cottage, 75 Albert Road Lower, Glenageary, 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 Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the residential zoning objective of the site, and subject to compliance with the conditions set out below, it is considered that the proposed development would provide a reasonable level of accommodation on site, would not have an adverse impact on the visual and residential amenities of adjacent properties, would comply with Section 4.3.1.2 (Existing House Stock Adaptation), Section 12.3.7.1 (Extensions), Section 123.7.4 (Detached Habitable Room) and Policy HER21 (architectural heritage of exemplary nineteenth and twentieth century buildings) of the development plan and, as such, would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the developer shall submit a revised site plan, for the written agreement of the planning authority, showing the omission of the vehicular access and the in-curtilage front garden car parking.

Reason: In the interest of architectural heritage protection.

3. Prior to the 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.

4. Drainage arrangements, including 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 and surface water management.

5. Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, including the finish of the south gable elevation of the proposed two-storey extension, which shall exhibit a white painted finish,

Reason: In the interest of visual amenity.

6. The proposed window openings in the north gable elevation shall be fitted with permanently opaque glazing.

Reason: In the interest of privacy and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, 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 property in the vicinity.

8. Prior to commencement of works, 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 development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

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 the 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 the Board 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.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

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

Dated this *31st* day of *January*, 2025.