

An
Bord
Pleanála

Board Order

ABP-321337-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0469

Appeal by Derek and Mary Gregg of 13 St. Columbanus Road, Dundrum, Dublin against the decision made on the 1st day of November, 2024 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Martha and David Carroll care of John Murphy of 17 Odin's Way, Taylor's Lane, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing shed and boundary walls and the construction of a new two-storey detached mews comprising of hall/study area, bathroom, utility, kitchen/dining/living areas at ground floor level with two number bedrooms en-suite at first floor level and associated site works, including one number car parking space, all to the rear of 11 St. Columbanus Road, Dundrum, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars for the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the Objective A zoning of the site, and Section 12.3.7.9 (Mews Lane Development), Section 12.3.7.7 (Infill) and Section 12.3.7.6 (Backland Development) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, and the scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not accept that the proposed development would be piecemeal and disorderly, and the Board agreed with the planning authority that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent 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 7th day of October, 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. The proposed development shall be amended to omit the proposed vehicular parking area and to include secure and covered resident cycle parking spaces for the proposed development. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety and residential amenity.

3. Prior to commencement of development, details of the materials, colours and textures of all the external finishes for the proposed development shall be submitted to, and agreed in writing with, the planning authority.

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 interests of sustainable drainage.


5. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

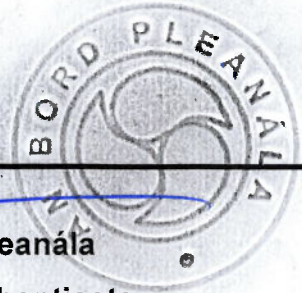
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.
Reason: In the interest of visual and residential amenity.
7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, 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 agreement has been received from the planning authority.
Reason: To safeguard the amenity of property in the vicinity.
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 road signage warning the public of the entrance and proposals for traffic management at the site entrance, noise and dust management measures and off-site disposal of construction/demolition waste.
Reason: In the interest of traffic safety, 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 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.


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



Dated this 18th day of March 2025.