



An
Bord
Pleanála

Board Order
ABP-321511-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0796/WEB

Appeal by Grace O'Rourke and Darren McKenna care of My House Architect of The Studio, 65 Greenville Place, Dublin against the decision made on the 22nd day of November 2024 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Construction of a single storey detached two/three bedroom dwelling (approximately 91.0 square metres gross internal area) including new access to Cherrywood Park and driveway/car parking space for two cars, new service and drainage connections, and associated site development works, on a site comprising 0.040 hectares (approximately 400 square metres) in existing rear garden at Bramley House, Cherrywood Road, Shankill, 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 established residential use on the site, the prevailing pattern and character of development in the area, the nature, size and scale of the proposal, the objectives of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024 and the totality of the information on file, it is considered that, subject to compliance with the conditions set out below, the proposal would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposal would, therefore, 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, as amended by further plans and particulars received by An Bord Pleanála following a request under Section 132 of the Planning and Development Act 2000, as amended, 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. Only one car parking space shall be provided within the site. Revised drawings showing -
- (a) one carparking space with details of dished kerb,
 - (b) front boundary treatment,
 - (c) the removal of the two-metre powder coated steel/composite timber fencing in front of bedrooms/office, and
 - (d) landscaping proposals to include inter alia proposed/existing hedging and details of path
- shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation and visual amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed 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. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network.

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

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the 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: In the interest of public health.

6. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and 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.

7. Proposals for the house numbering scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

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.



Emer Maughan

Member of An Bord Pleanála

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

Dated this ^{30th} day of ^{April} 2025.