

An
Bord
Pleanála

Board Order
ABP-321740-25

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0854/WEB

Appeal by John and Grace Dunleavy care of Jim Brogan of Unit B1, Laurel Lodge Business Centre, Laurel Lodge, Castleknock, Dublin against the decision made on the 17th day of December, 2024 by Dun Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Shane Horrigan and Catherine McCabe care of Douglas McGee Architects of Ballingowan East, Aglish, County Waterford, in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a two-storey rear and side extension, existing front façade amendments, a new garden building, the widening of the existing driveway entrance, including the addition of piers and new gates along with associated site works, all at 47 Waltham Terrace, Blackrock, 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the zoning of the site, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area or the residential or visual amenities of property in the vicinity 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 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 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.

3. Details of the external finishes and boundaries of 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.

4. Details of the vehicular access shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In this regard:
 - (a) The proposed gate shall be no more than 1.1 metres in height and shall be sliding or inward opening and shall not be an automatic gate.
 - (b) The proposed development shall comply with the requirements of the planning authority with regard to vehicle entrance widths, tree protection and dishing of kerbs/footpaths.

Reason: In the interest of orderly development, visual amenity, pedestrian, cyclist and traffic safety.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

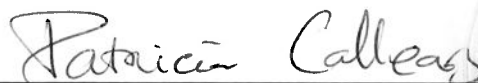
6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional

circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

7. 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.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 12th day of May 2025.