

An
Coimisiún
Pleanála

Commission Order
ABP-322229-25

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0059/WEB

Appeal by Anne Marie Murtagh and Paul Flood of 40A St. Fintan's Villas, Deansgrange, Blackrock, County Dublin against the decision made on the 19th day of March, 2025 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Lakerpod Limited care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition (approximately 3.38 square metres) of an existing single storey rear extension, the refurbishment of the existing two-storey dwelling, including internal reconfiguration at ground and first floor level, alterations to the existing front porch, the construction of a new single storey flat roof rear and side extension (including roof light) of approximately 43.2 square metres to provide for a three-bedroom two-storey semi-detached dwelling of approximately 104.2 square metres (unit number 1). Private open space of approximately 85 square metres in the form of a rear paved patio and landscaped garden and the provision of car parking to the front of the property at grade-level is also proposed. The construction of a new single

storey three-bedroom detached residential dwelling (including roof lights) of approximately 119 square metres (unit number 2) to the rear of the site. Private open space of approximately 160 square metres in the form of a paved patio and landscaped garden and the provision of car parking to the front of the property at grade level is also proposed. The development shall also provide for a new vehicular access arrangement in the form of a shared surface driveway to access a private front garden and grade level parking for unit number 1 and a gated driveway entrance, private front garden and grade level parking for unit number 2. The development will also comprise all landscaping and new boundary treatment works all infrastructure works (including water, foul and surface water drainage) and all other ancillary site development works necessary to facilitate the development of the site, all at 41 Saint Fintan's Villas, Deansgrange, 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 Section 3.3.6(c) of the Sustainable Residential Development and Compact Settlement Guidelines (2024) in relation to very small infill development, the residential zoning objective of the area, the pattern of existing development in the vicinity, the design, scale and massing of the proposed development, and the relevant provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, in particular Section 12.3.7.6 (Backland Development) and Section 12.3.7.7 (Infill), it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable form of development at this location and would not seriously injure the residential amenity of

surrounding properties. The proposed development 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. Each dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.

Reason: In the interest of clarity.

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.

4. 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 wastewater collection network.

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

5. The attenuation and 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: In the interest of public health.

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 between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 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.

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 noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

9. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

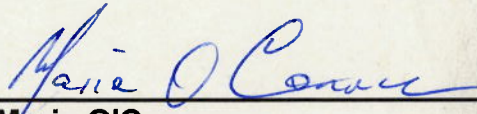
Reason: In the interest of visual amenity.

10. The developer shall ensure that the proposed development complies with the requirements of Section 12.4.11 (Electrically Operated Vehicles) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and, specifically, 'the installation of appropriate infrastructure to enable installation at a later stage of a recharging point for EVs.'

Reason: In order to comply with the requirements of the development plan.

11. 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 Coimisiún 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.


Marie O'Connor

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 17 day of July 2025.