

An
Coimisiún
Pleanála

Commission Order
ABP-322281-25

Planning and Development Acts 2000 to 2025

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0862/WEB

Appeal by Lorna Shannon care of John P Masterson of 23 Belgrave Road, Monkstown, County Dublin against the decision made on the 26th day of March 2025, by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Latchen Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: (i) demolition of existing bungalow dwelling and associated northern and eastern boundary wall; (ii) the construction of four number flat roofed dwellings, comprising two number two-storey two-bedroom dwellings, one number two-storey four-bedroom dwelling and one number three storey four-bedroom dwelling; (iii) vehicular access to the site will be via Nutgrove Park with 4 no. on curtilage car parking spaces; and (iv) the development will include all associated works including, landscaping (including tree protection measures), planting and boundary treatments, infrastructure, lighting, foul/surface drainage, site works, necessary to facilitate the development. A public open space area is provided to the east of the site fronting onto Clonskeagh Road, all at Tambou, Clonskeagh Road, 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.

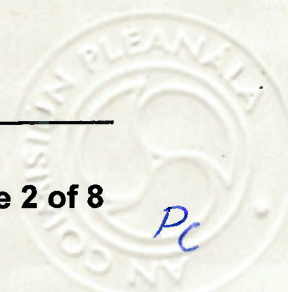
Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire-Rathdown Development Plan 2022-28, the guidance set out in Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), the size, nature, character, and location of the site, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of properties in the vicinity, would not be prejudicial to public health, would generally be acceptable in terms of traffic safety and convenience and 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, as amended by the further plans and particulars received by the planning authority on the 28th day of February 2025, 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. House type A, at the corner of Clonskeagh Road and Nutgrove Park shall be reduced from three-storeys to two-storeys in height and shall be reduced from a four-bedroomed unit to a two-bedroomed unit. Revised fenestration arrangements shall be incorporated into the eastern elevation facing onto Clonskeagh Road so as to ensure appropriate elevational treatment and appropriate passive surveillance on the proposed public open space at the eastern end of the site.

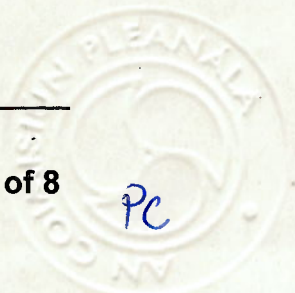
Reason: In the interest of visual amenities of the area.

3. Details of the materials, colours and textures of all the external finishes to the proposed {dwellings/structures/buildings} 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. 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: To prevent flooding and in the interests of sustainable drainage.



5. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

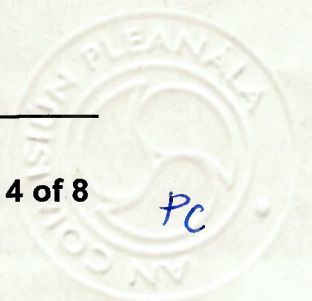
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

6. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

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

7. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of environmental protection residential amenities, public health and safety and environmental protection.



8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

- (i) Existing trees, hedgerows shrubs specifying which are proposed for retention as features of the site landscaping.
- (ii) The measures to be put in place for the protection of these landscape features during the construction period.
- (iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder (which shall not include prunus species).
- (iv) Details of screen planting (which shall not include cupressocyparis x leylandii).
- (v) Details of roadside/street planting (which shall not include prunus species).
- (vi) Hard landscaping works, specifying surfacing materials, furniture (play equipment) and finished levels.

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.

(c) A timescale for implementation including details of phasing.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

9. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

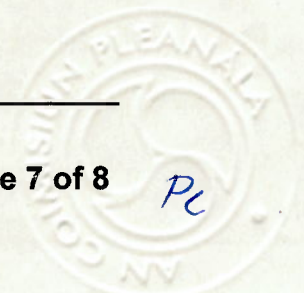
Reason: In the interest of reducing waste and encouraging recycling.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Monday to Friday inclusive, 0800 to 1400 Saturdays and no works permitted on site on Sundays and Public holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been obtained from the planning authority.

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

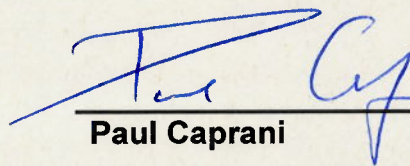
11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.



12. 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.



Paul Caprani

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



Dated this 7th day of August 2025.