

An  
Bord  
Pleanála

## Inspector's Report ABP319209-24

<b>Development</b>	Removal of existing pitched roof for the construction of 2 storey extension and all associated site works.
<b>Location</b>	14 The Orchard, Monkstown Valley, Monkstown, Blackrock, Dublin, A94E9V3.
<b>Planning Authority</b>	Dun Laoghaire-Rathdown County Council.
<b>Planning Authority Reg. Ref.</b>	D23A/0774.
<b>Applicant(s)</b>	Alison Reynolds
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant Permission.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	P & J Kilkenney.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	23/04/2024.
<b>Inspector</b>	Anthony Abbott King.

## **1.0 Site Location and Description**

- 1.1. No.14 The Orchard is located within a cul-de-sac of two-storey and single-storey houses at the end of the Monkstown Valley access road from Monkstown Road (R119).
- 1.2. Monkstown Valley comprises a number of low density cul-de-sacs and detached houses within a sylvan setting to the south of the Monkstown Road.
- 1.3. No. 14 The Orchard is a bungalow located at the entrance to the Orchard development on the south side of the cul-de-sac.
- 1.4. The bungalow is an oblong with the shorter side facing the street. The 2-bay street frontage comprises a large bay window and a standard window opening. The entrance is the side.
- 1.5. The applicant plot incorporates a car parking space to the side of the dwelling house, a rear garden and a side passage between no. 14 The Orchard and the adjoining two-storey house at no. 13 The Orchard.
- 1.6. The site area is given as 0.0173 hectares.

## **2.0 Proposed Development**

- 2.1. Refurbishment and extension to existing bungalow to include:
  - (a) Removal of existing pitched roof.
  - (b) Construction of 2 storey extension to front and side and a part hipped roof (to the front) and part flat roof with parapet upstand (to side and rear).
  - (c) Remaining single-storey to rear to have flat roof with rooflights.
  - (d) Associated internal alternations, drainage and external works.

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

Grant permission subject to 11 conditions.

#### 3.2. **Planning Authority Reports**

##### 3.2.1. Planning Reports

The decision of the CEO of Dun Laoghaire-Rathdown County Council reflects the recommendation of the planning case officer.

##### 3.2.2. Other Technical Reports

No objection subject to condition.

### 4.0 **Planning History**

There is no relevant recent planning history??

### 5.0 **Policy and Context**

#### 5.1. **Development Plan**

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

- Chapter 13 (Land Use Zoning Objectives) Table 13.1.1 (Development Plan Zoning Objectives) and Zoning Map 3 are relevant.

The area zoning objective is "A": *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Residential is a 'permitted in principle' land use.

#### Urban Consolidation

- Chapter 2 (Core Strategy), Policy Objective CS11 – Compact Growth - is relevant and states:

*It is a Policy Objective to deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary.  
(Consistent with RPO 3.2 of the RSES).*

It is noted that Figure 2.9 (Core Strategy Map) defines the boundary of Dublin City and Suburbs. The development site is located within the indicative boundary line defining Dublin City and Suburbs.

- Chapter 4 (Neighbourhood-People, Homes and Place), Policy Objective PHP19 (Existing Housing Stock-Adaptation) is relevant and states:

*It is a policy objective to:*

- *Conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with NPO 34 of the NPF.*
- *Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.*

And Policy Objective PHP20 (Protection of Existing Residential Amenity) is relevant and states:

*It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.*

#### Extensions to Dwellings

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (i) (Front Extensions) is relevant and *inter alia* states:

*Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. ....*

- Section 12.3.7.1 (ii) (Extensions to the Rear) is relevant and *inter alia* states:

*Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the main house*

*First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:*

- *Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries.*
- *Remaining rear private open space, its orientation and usability.*
- *Degree of set-back from mutual side boundaries.*
- *External finishes and design, which shall generally be in harmony with existing.*

- Section 12.3.7.1 (iii) (Extensions to the Side ) is relevant and *inter alia* states:

*Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.*

*First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid*

*a 'terracing' effect. External finishes shall normally be in harmony with existing.*

The following national and regional planning policy documents are relevant in the context of sustainable residential land-use and the strategic policy objective to achieve compact growth:

- The National Planning Framework (NPF) (Project Ireland 2040) (Government of Ireland 2018);
- The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly (EMRA), (June 2019);
- The Department of Housing, Local Government and Heritage 'The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities', (15 January, 2024).

## **5.2. EIA Screening**

5.3. The proposed development is not within a class where EIA would apply.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The grounds of appeal, prepared by Justin O'Callaghan, Architect, on behalf of the appellants, residents of no. 11 The Orchard, are summarised below:

- The Orchard Estate is located within Monkstown Valley, which comprises a number of individual unrelated developments of houses and apartment blocks. The appellants have lived at no. 11 for some 25 years. The proposed development by virtue of its size, massing, scale and overbearing nature will seriously injure the residential and visual amenity of the appellant's property and will set a most unwelcome precedent for similar developments in the area.

- The Orchard is a small estate of 14 dwellings with a mix of 10 two-storey houses and 4 two-bedroom bungalows. No. 14 and No. 11 are bungalows. No. 11 is located to the south-east of no. 14 and has a floor area of 52 sqm.
- The grounds slope down to the south east. The rear garden of no. 11 is set circ. 750mm below the rear garden of no. 14 The Orchard. The topography is described incorrectly in the planner's report.
- The proposal seeks to develop the existing two-bedroom bungalow with three bed spaces into a four-bedroom two-storey house with 6 bed spaces. The appellant claims the nature and extent of the proposed development was neither clearly nor properly described on the public notices.
- The site topography and the height of the proposed development having an eaves height of 6000mm (above the garden of no. 11) would have an overbearing impact in terms of relative scale and massing and will be visually obtrusive dominating the view from the appellants living room and garden. The drawings submitted are inadequate to illustrate the actual relationship and the consequential impacts.
- The relative height of the sill to the windows of both the staircase and the proposed Bedroom 4 will not mitigate overlooking of the garden and living room of no. 11. The planning authority assessment is incorrect in the application of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities in the matter of separation distances, which requires a 16m separation rather than the 12m proposed.
- The development plan requires an open space provision of 75 sqm. for a four bedroom house. In the instance of the proposal the rear garden is an insufficient approximate 38sqm. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities requires a provision of 50sqm for new four bedroom houses. The statement that the enlarged house is within a development of where a range of public open spaces are located is erroneous as there is no public space in the Orchard Estate.
- The planning authority cite Section 4.3.1.2, Policy Objective PHP19, Existing Housing Stock – Adaption of the Dun Laoghaire-Rathdown Development Plan

2022-2028. The applicant claims the proposed development is counter to the policy requirement, as by removing one of the two-bedroom bungalows would reduce the housing stock mix.

- The living room area is significantly below the minimum 40sqm. requirement set out in Table 5.1 in the Guidelines: Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities.
- The Orchard is a low density car orientated suburban residential development. The existing house has car parking provision of one dedicated car parking space, which is inadequate for a four bedroom dwelling. In the matter of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, the proposed development is located in a peripheral location and requires 2 car parking spaces.

## **6.2. Applicant Response**

The applicant response, prepared by Dominick Comerford Architect, on behalf of the applicant is summarised below:

- The applicant is motivated by the use of the subject property as a family home. However, the existing accommodation is inadequate to meet requirement needs in particular in regard to bedroom and living room space.
- The extension of the house would provide for 2 double and 2 single bedrooms and rearrangement of living room accommodation providing direct access to the garden. The extension has been carefully designed to integrate with the mix of house types in The Orchard and overall Monkstown Valley development.
- Maximum set backs are incorporated and the positioning of windows to avoid over-looking were considerations to minimise impact on adjacent properties. The high-level rear bedroom window to the rear is at 1700mm above floor level and does not have an external sight line. The applicants would consider



obscured windows if necessary. However, it is considered that high-level windows are an appropriate elevation treatment.

- A group residents meeting was held at the request of the applicants to discuss the proposal. No other objections or concerns were raised. The main concern of being overlooked the applicant has attempted to address. The applicant house no. 14 is set back and perpendicular to no. 11. There are no windows at first-floor overlooking the appellant. The proposed first-floor extension is not in the sun path of the appellant.
- All the appeal points repeat the submission to the planning authority. These matters have been carefully considered in the planning process to date.

### **6.3. Planning Authority Response**

The planning authority refer the Board to the previous planner's report. The grounds of appeal do not raise any new matter that would justify a change of attitude to the proposed development.

### **6.4. Observations**

None recorded to date.

## **7.0 Assessment**

- 7.1. The following assessment covers the points made in the appeal submission and encapsulates my overall consideration of the application. It is noted there are no new substantive matters for consideration.
- 7.2. The applicant proposes to add an additional floor to the existing bungalow at no. 14 The Orchard, to extend the footprint of the dwelling to the side and to rearrange the internal accommodation. The height of the proposed two-storey extended dwelling would mirror the height and roof profile of the adjoining two-storey house at no. 13 The Orchard. The existing house has a floor area of approximately 52 sqm. The proposed additional floor area would comprise approximately 51 sqm.
- 7.3. The relevant planning matters arising are interrogated in my assessment under the following headings below:

- The principle of development
- The Sustainable Residential Development and Compact Settlement Guidelines (2024)
- Potential impact on existing residential amenities
- Open Space
- Car Parking
- Other matters

#### The principle of development

- 7.4. The site is zoned Objective “A” in the Dun Laoghaire-Rathdown Development Plan 2022-2028, which seeks *to provide residential development and improve residential amenity while protecting the existing residential amenities*. Residential development is acceptable in principle and may be permitted where the proposed development is compatible with the overall policies and objectives for the zone.
- 7.5. The National Planning Framework (NPF 2018) and the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region (EMRA) (2019) encourage and support the densification of existing urban / suburban areas and, as such, promote the use of performance based criteria in the assessment of developments to achieve well designed and high quality outcomes.
- 7.6. The strategic objective of compact growth is supported in principle by densification of suburban sites in particular lands accessible by walking, cycling and public transport. The Orchard is approximately 1 km from Salthill DART station. It is accessible to a frequent bus service on the Monkstown Road (R119) approximately 400m from the applicant site.
- 7.7. Chapter 4 (Neighbourhood-People, Homes and Place), Policy Objective PHP19 (Existing Housing Stock-Adaptation) of the Dun Laoghaire-Rathdown Development Plan 2022-2028 provides for densification of the existing built-up areas in the County *inter alia* through adaptation of the existing housing stock and small scale infill development having due regard to the amenities of existing established residential neighbourhoods. The proposed development to extend no. 14 The Orchard would be

consistent with the objectives of PHP19 subject to the protection of existing residential amenities.

#### The Sustainable Residential Development and Compact Settlement Guidelines

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024) set national planning policy and guidance in relation to the planning and development *inter alia* for urban settlements with a focus on sustainable residential development and the creation of compact settlement.

- 7.8. The Guidelines expand on higher-level policies of the National Planning Framework, setting policy and guidance that include development standards for housing. Chapter 5 (Development Standards for Housing) provides *inter alia* guidance for separation distance, private open space, public open space, car parking, bicycle parking and storage and daylight standards. The following assessment is informed by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities.
- 7.9. The appellant claims that the planning authority assessment is incorrect in the application of the Sustainable Residential Development and Compact Settlements Guidelines in the matter of separation distances, which requires a minimum 16m separation distance rather than the 12m separation distance proposed. This matter is interrogated below.

#### Potential impact on existing residential amenities

- 7.10. The appellant claims that the proposed development by virtue of its size, massing, scale and overbearing nature will seriously injure the residential and visual amenity of the appellant's property, a bungalow located to the south east of no. 14 The Orchard at no. 11 The Orchard and perpendicular to the subject residential plot, and will set an unwelcome precedent for similar developments in the area.
- 7.11. The Dun Laoghaire-Rathdown Development Plan 2022-2028 provides a policy framework for the extension of existing dwelling houses in Section 12.3.7 (Additional Accommodation in Existing Built-up Areas) Sub-Section 12.3.7. 1 (Extensions to Dwellings) of the Plan, which provides for the protection of existing residential amenities. The following sections of the Plan are relevant in the assessment of the two-storey front, side and rear extensions, which are assessed below.

### Front extension

- 7.12. Section 12.3.7.1 (i) (Extensions to the Front) *inter alia* front extensions at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. The front element of the proposed first floor would respect the existing front building line and would have a depth of approximately 6m. The extension would be located behind the rear building line of the adjoining two-storey property at no. 13 The Orchard; the proposed rear first floor extension located forward of the rear building line of the adjoining two-storey house at no. 13 The Orchard is assessed in the rear-extension section below.
- 7.13. The proposed front extension would comprise a first floor addition to the street elevation. The footprint of the front extension would accommodate two bedrooms, the stairwell and bathroom. The front extension would integrate with the rear / side extension to form an additional second floor to the subject dwelling. I consider that the pitched roof profile, fenestration and render elevation finish of the front extension would harmonise with the existing dwelling house and streetscape.
- 7.14. The provision of a second floor to the dwelling would provide for a comprehensive re-arrangement of the internal accommodation providing a kitchen / dining / living room to the rear of the house at ground floor level (in the location of the existing two bungalow bedrooms) opening onto a south facing patio garden, a ground floor master bedroom to the front of the house and three bedrooms and a bathroom at first floor level. I consider that the proposal would provide a reasonable level of accommodation on site.

### Rear extension

- 7.15. Section 12.3.7.1 (ii) (Extensions to the Rear) *inter alia* provides criteria for the assessment of first-floor rear extensions to existing dwelling houses including overshadowing, overbearing, and overlooking impacts. In the instance of the proposal, the first floor rear extension would be positioned forward of the rear building line of no. 13 The Orchard. The rear extension would provide a bedroom above the proposed kitchen / living area.
- 7.16. The building line of the rear first-floor elevation would be angled inward away from the western property boundary at an approximate angle of 45 degrees. The rear elevation would have a high level rectangular window opening lighting 'Bedroom 4'.

An additional high level rectangular window opening would be located at the rear of the front extension lighting the stairwell.

- 7.17. The separation distance between the proposed first floor extension and no. 11 The Orchard would be an approximate 12m measured from the first floor rear bedroom window (Bedroom 4) to the rear elevation of no. 11 – the appellant's residence. The appellant claims that the extension *inter alia* would be visibly obtrusive and overbearing and that the proposed window openings would result in overlooking of the appellant's garden and living room.
- 7.18. The appellant cites the minimum separation distance of 16m provided by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities in support of the claim that the proposal would have an adverse impact on the residential and visually amenities of adjoining properties including the appellant's property at no. 11 The Orchard.
- 7.19. SPPR1 of the Sustainable Residential Development and Compact Settlements Guidelines requires that when considering a planning application a separation distance of at least 16m between opposing windows serving habitable rooms above ground floor level at the rear and side of houses should be maintained. I do not consider that the minimum separation distance applies in the instance of the proposed development as window openings in adjoining properties are not directly opposing.
- 7.20. In terms of overlooking, the appellant claims that the two proposed rear high level window openings lighting the stairwell and 'Bedroom 4' will overlook the appellant's property. The impact it is claimed would be accentuated by the sloping topography to the south, as the garden of no. 11 The Orchard, is located approximately 750mm below the level of the patio garden of no. 14 The Orchard. Furthermore, the appellant claims that the relative height of the sill to the windows of both the staircase and the proposed Bedroom 4 will not mitigate overlooking of the garden and living room of no. 11.
- 7.21. In the matter of the stairwell high level window opening, I do not consider that significant overlooking would result given the location of the window opening behind the established two-storey rear building line of no. 13 The Orchard, the distance from the rear property boundary (approximately 11m) and the fact that the stairwell

window opening does not light a habitable room and has no discernible external sightline.

- 7.22. In the matter of the window opening to 'bedroom 4', the applicant response has suggested that the proposed opening can be fitted with opaque glass. I acknowledge that the subject window opening would light a habitable room and would be marginally angled toward the eastern property boundary at a proximate distance of 6m. However, I do not consider that the window opening would result in significant overlooking of the adjoining residential property at no. 11 The Orchard given the clarification provided in the applicant response in regard to external sightlines. The applicant clarifies the high-level rear bedroom window to the rear is 1700mm above floor level and does not have an external sight line.
- 7.23. Finally, the appellant claims the effective eaves height of the development to the rear would be 6m given the sloping topography to the south. I do not consider that the rear extension would be overbearing and visually obtrusive given its modest footprint (approximately 16 sqm.), the positioning of the first-floor extension behind the indicative line of the side northern property boundary of no. 11 The Orchard with no. 13 The Orchard and the proposed contemporary timber clad material finish.

#### Side extension

- 7.24. Section 12.3.7.1 (iii) (Extensions to the Side) Dun Laoghaire-Rathdown Development Plan 2022-2028 *inter alia* states that first floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. In certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect.
- 7.25. The proposed side extension comprises a wedge-shaped addition at ground floor level and a two-storey element above that would combine with the floor area of rear extension to provide 'Bedroom 4'. The side extension would be set back an approximate 5500mm from the front building line. It would have a flat roof and would be clad in timber.
- 7.26. I consider that the proposed two-storey side extension would be acceptable in principle given the retention of a separation distance (approximately 1200mm) between no. 14 The Orchard and "Liscarraig" the property adjoining to the west and

the modest scale of the extension set back 5500mm from the front building line. I consider that the roof profile, fenestration and timber clad elevation finish would harmonise with the existing dwelling house and streetscape.

- 7.27. I consider that no overlooking impacts would result given that there are no window openings proposed in the west elevation and that the rear bedroom first floor window opening is angled toward the rear patio garden of the subject dwelling away from the boundary with "Liscarraig" and is a high level window opening.

#### Cumulative impact

- 7.28. Finally, I consider that the proposed front, rear and side extensions would alter the physical relationship between the subject house no. 14 The Orchard and adjoining properties by reason of the addition of a first floor to the existing dwelling, which is a bungalow. However, I do not consider that significant adverse impacts on the residential amenities of adjoining properties, including the immediately adjoining two-storey property at no. 13 The Orchard, and the bungalow at no. 11 The Orchard, which is located to the south east and perpendicular to the subject residential plot, would result from the proposed development.
- 7.29. I consider that the impact of the development would be significantly mitigated by its design including the location of the footprint of first floor of the proposed front extension behind the rear building line of no. 13 The Orchard, the separation distance from the property boundaries of the proposed rear first floor extension with the adjoining properties to the east and west and, the incorporation of high level window openings to the rear elevations.

#### Open Space

- 7.30. The appellant states that the proposal seeks to develop the existing two-bedroom bungalow with three bed spaces into a four-bedroom two-storey house with 6 bed spaces. The appellant claims that the development plan requires an open space provision of 75 sqm. for a four bedroom house. In the instance of the proposal the rear garden is an insufficient approximate 38sqm. I have measured the residual open area to the rear of the subject property at approximately 40 sqm. The planning case officer has scaled the residual open area equating it to 42 sqm.
- 7.31. Section 5.3.2 (Private Open Space for Houses) of The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities provides

for a minimum 50sqm. of private open space for 4-bedroom new houses (SPPR2 – Minimum Private Open Space Standards for Houses). A further reduction below the minimum standard may be considered acceptable where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space.

7.32. I consider that the development proposal represents the adaptation of an existing dwelling house rather than the provision of a new dwelling within a sylvan setting accessible to adjacent pockets of landscaped semi-private / public open space. I further consider that albeit that the truncated rear garden would not conform to the quantitative open space standard for a new 4-bedroom house; the south orientation of the rear patio garden would satisfy qualitative standards.

7.33. I conclude on balance that the private open space provided by the rear south patio garden combined with the open character of the Monkstown Valley developments would provide an acceptable level of residential amenity in terms of open space.

#### Car parking

7.34. In the matter of car parking, The Orchard is approximately 1 km from Salthill / Monkstown Dart station and is accessible to a high frequency bus service along Monkstown Road (R119). I consider that car parking provision is appropriate given the location of the proposal within an inner suburban typology with easy access to frequent public transport.

#### Other matters

7.35. In the matter of the development description, the appellant claims that the nature and extent of the proposed development was neither clearly nor properly described on the public notices and that the drawings submitted are inadequate to illustrate the actual relationship and the consequential impacts. I would concur with the planning case officer that the planning authority have no concerns relating to the development description. I note that the extent of the development is clearly demarcated on the submitted drawings, as outlined in red.

#### Conclusion

7.36. In conclusion, the proposed development comprising front, rear and side extensions to an existing bungalow would alter the physical relationship between the subject house no. 14 The Orchard and adjoining properties by reason *inter alia* of the



addition of a first floor to the existing dwelling. However, I do not consider that there would be a significant adverse impact on the residential and visual amenities of adjoining properties, including the immediately adjoining two-storey property at no. 13 The Orchard, and the bungalow at no. 11 The Orchard, which is located to the south east and perpendicular to the subject residential plot.

7.37. I conclude that the proposed development would provide a reasonable standard of accommodation on site, would be consistent with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), the policy framework of the Dun Laoghaire-Rathdown Development Plan 2022-2028 for additional accommodation in existing built-up areas, including Section 12.3.7. 1 (Extensions to Dwellings) of the Plan, and, as such, would be consistent with the proper planning and sustainable development of the area.

#### **7.38. Appropriate Assessment Screening**

The proposed development comprises the extension of an existing dwelling in an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

### **8.0 Recommendation**

8.1. I recommend a grant of planning permission subject to condition having regard to the reasons and considerations set out below.

### **9.0 Reasons and Considerations**

Having regard to the grounds of appeal, the residential zoning objective and the policy framework provided by the Dun Laoghaire-Rathdown Development Plan 2022-2028, it is considered that the proposed development, subject to condition, would provide a reasonable standard of accommodation on site, would be consistent with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), the policy framework of the Dun Laoghaire-Rathdown Development Plan 2022-2028 for additional accommodation in existing built-up areas, including Section 12.3.7. 1 (Extensions to Dwellings) of the Plan, and, as

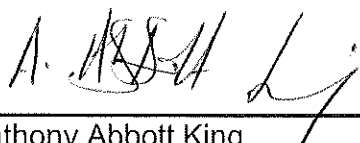
such, would be consistent with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>The 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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
5.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the</p>

	<p>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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000 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.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Anthony Abbott King  
Planning Inspector

26 April 2024