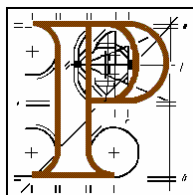


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Dun Laoghaire-Rathdown County

Planning Register Reference Number: D13A/0005

An Bord Pleanála Reference Number: PL 06D.241765

APPEAL by John and Rosemary Nolan and others care of SSA Architects of 42 Haddington Road, Dublin and by Rose Marie Gallagher of 1 Woodside, Dodder Park Road, Rathfarnham, Dublin against the decision made on the 28th day of February, 2013 by Dun Laoghaire-Rathdown County Council to grant subject to conditions an outline permission to Tom Collins care of Aidan Powell and Associates Architects of 27 - 28 Lower Mount Pleasant Avenue, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of existing detached structure for use incidental to the enjoyment of the dwellinghouse, 7 Woodside Drive and construction of a detached two-storey four bedroom mews house comprising 247.6 square metres on a site of 454 square metres which includes a two car garage, together with a revised roadside boundary wall and entrance and associated site development works at Woodside to the rear of 7 Woodside Drive, Churchtown, Dublin.

DECISION

GRANT outline 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.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2010-2016, the nature and scale of the proposed development, the pattern of development in the area and the configuration of the site with independent road frontage, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Details of site layout, boundary treatment, drainage, design of building, including external finishes and materials, and means of access thereto shall be submitted to the planning authority as an application for permission consequent on this grant of outline permission.

Reason: In the interest of clarity and in the interest of amenity.

2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

3. The developer shall ascertain and comply with all requirements of planning authority in relation to roads, access and parking issues.

Reason: In the interest of traffic safety.

4. Any future application for permission consequent on this grant of outline permission shall include a Tree Survey and Impacts Assessment, undertaken by a qualified arborist in accordance with BS 5837-2012, Trees in relation to Design, Demolition and Construction. The developer shall ascertain and comply with all requirements of the planning authority in this regard, including with the scope of this survey and assessment.

Reason: In the interest of visual amenity.

5. At permission consequent stage, 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 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.

Reason: 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2013.