



An
Bord
Pleanála

Board Order
ABP-306493-20

Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD19A/0338.

Appeal by Alan and Joanne Dunne care of Edmund Fitzgerald Selby of Nemetos Studio, Rockbrook, Dublin against the decision made on the 16th day of December, 2019 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Construction of a detached, two-storey with habitable attic rooms family dwellinghouse in the side garden. All at 2 Glendoher Park, Rathfarnham, 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.

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 South Dublin County Development Plan 2016-2022, to the pattern of development in the area and to its nature, scale and design, the Board considered that, subject to compliance with the conditions set out below, the proposed development would provide a high quality design response to the site and its context and would be acceptable in terms of visual amenity in the streetscape and the wider receiving environment. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied that the design and scale of the proposed infill dwelling would not be visually incongruous and would not result in a visually obtrusive feature in the streetscape and considered that it represented a contemporary design response to a serviced infill site in an urban context.

Conditions

1. 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.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and 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.

4. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: In the interest of public health.

5. 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 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.

Paul Hyde

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

Dated this day of 2020.