



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD19A/0362

Appeal by Andrew McEvitt and others of 3 Limekiln Close, Manor Estate, Dublin against the decision made on the 29th day of April, 2020 by South Dublin County Council to grant subject to conditions a permission consequent on the grant of outline permission to Mairead Rice and Andrew O'Reilly care of McCann Moore Architects of 34 Thornhill Road, Mount Merrion, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new two-storey dwelling and associated site works at 7 Limekiln Drive, Manor Estate, Dublin.

Decision

GRANT permission consequent on the grant of 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 South Dublin County Development Plan 2016-2022 and the outline permission on site, planning register reference number SD17A/0029, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design, would not seriously injure the residential amenity of adjoining property and would result in a satisfactory standard of amenity for occupants. The proposed development would, therefore, 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 submitted on the 2nd day of March, 2020, 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. All relevant conditions attached to the grant of outline planning permission associated with the subject site (planning register reference number SD17A/0029 refers), shall be strictly adhered to.

Reason: In the interest of residential amenity.

3. The developer shall demonstrate that sufficient space has been provided for the accommodation of two cars within the curtilage of the site by way of autotrack or similar. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity and pedestrian and traffic safety.

4. 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.

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.

Terry Ó Niadh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.