



An
Bord
Pleanála

Board Direction
PL06S.248214

The submissions on this file and the Inspector's report were considered at a Board meeting held on 4th August 2017.

The Board decided to grant a temporary five-year permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the scale and design of the dwelling to be retained, to the residential zoning of the site as set out in the current development plan for the area and to the character of the general area, 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 or of property in the vicinity, would provide for an acceptable standard of residential amenity for the prospective occupants and would not represent a material contravention of the zoning objective of the South Dublin County Development Plan 2016-2022 and would therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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. This grant of retention permission is for a period of five years from the date of this order

Reason: In the interest of clarity

3. This grant of retention permission is for a one bedroom dwelling unit only.

Reason: In the interest of clarity

4. The floorspace of the bedroom shall be increased to a minimum of 11.4 square metres. Within three months of the date of this order documentary evidence that the necessary works have been carried out to comply with this requirement, certified by a suitably qualified person, shall be submitted to the planning authority.

Reason: To ensure a minimum acceptable standard of residential amenity for the occupants of the dwelling.

5. 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.

6. 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 within three months of the date of this order 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.

Note 1: Having regard to the appellant's submission, the Board considered that a temporary five-year grant of permission would be appropriate to allow the appellant sufficient time to plan for a replacement dwelling with enhanced residential amenities and a more orderly development of the overall site for future occupants at the appeal site.

Note 2: The Board was satisfied that once the conditions set out above were complied with that any marginal non-compliance with relevant standards would not be material for this one bedroom unit and that a material contravention did not arise.

Board Member

Date: 8th August 2017

Maria FitzGerald

