



An  
Bord  
Pleanála

**Board Direction**  
**PL06S.248498**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 9<sup>th</sup> August 2017.

The Board decided to grant permission, by a majority of 2:1, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the provisions of the South Dublin County Development Plan 2016 -2022, the location of the site within the urban area, the nature and scale of the proposed development and the pattern of existing development in the vicinity, together with the information submitted as part of the planning application and the appeal, the Board is satisfied that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design and scale and would not seriously injure the residential amenities of existing adjacent properties. 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 considered the solution proposed by the applicant to extend the soil vent stack and the ventilation flap to the eaves level of No.1 Taylors Lane is a reasonable solution in planning terms and that access to the electricity meter can be maintained by way of a set back from the existing front building line. Furthermore, in accordance to Section 34 (13) of the Planning and Development Acts, a person shall not be entitled solely by reason of a permission to carry out any development.

## 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 27<sup>th</sup> day of March 2017, 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. The proposed extension shall be amended such that the footprint is reduced and the front entrance doors are set back by approximately 1.5 meters from the front building line of the existing dwellings (and in any event far enough back to allow continued access to electricity meter of No.1 Taylors Lane). Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To allow continued access to the electricity meter of No. 1 Taylors Lane.

3. The external finishes of the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 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.

**Reason:** In order to safeguard the [residential] amenities of property in the vicinity.

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 prior to 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.

**Note:** Please issue Section 34 (13) note in cover letter.

**Board Member**

**Date:**

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Eugene Nixon