



An
Bord
Pleanála

Board Direction
BD-015667-24
ABP-317152-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/03/2024.

The Board decided to grant 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 residential land use zoning of the site; the nature, scale and location of the proposed development; and the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022 – 2028, it is considered that, subject to compliance with the conditions set out below the proposed development would not be out of character with existing development in the area, and would not seriously injure the visual or residential amenities of the area or of property in the vicinity. The ABP317152-23 Inspector's Report Page 19 of 22 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, 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 use of the 'garden room' for residential purposes shall be restricted to a residential use directly associated with the use of the existing house on the site for such purposes / and the structure shall not be subdivided from the existing house, either by way of sale or letting or otherwise.

Reason: In the interest of residential amenities.

3. The width of the proposed amended vehicular entrance shall be a maximum of 3.5 metres and the footpath, including any grass verge, in front of the vehicular entrance shall be dished and strengthened at the applicant's own expense including any moving /adjustment of any water cocks /chamber covers and all to the satisfaction of the appropriate utility company and planning authority. With regards to the dishing and strengthening of the footpath, including any grass verge, in front of the vehicular entrance, the applicant shall contact the planning authority to ascertain the required specifications for such works and any required permits.

Reason: In the interest of orderly development.

4. 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.

5. Site development and building works shall be carried out only between the hours of 7.00am to 7.00pm Monday to Friday inclusive, 8.00am to 2.00pm Saturdays and no works permitted on site on Sundays and public holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been obtained from the Planning Authority.

Reason: In order to safeguard the residential amenities of properties 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 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.

Board Member



Tom Rabbette

Date: 01/03/2024