

An
Bord
Pleanála

Board Direction
BD-018324-24
ABP-320039-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/11/2024.

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 nature, scale, location and design of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would comply with the zoning objective for the site, as set out in the Dublin City Development Plan 2022-2028, would not constitute a haphazard and backland form of development, would not seriously injure the residential amenity of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The 'garden room' shall be for domestic related uses only, ancillary to the use of the existing dwelling and shall not be used for human habitation. These uses shall be as indicated in the plans and particulars lodged with the application and as amended by the particulars received by An Bord Pleanála on 28th June 2024.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

3. The 'garden room' for family members shall not be sold, let or otherwise conveyed as an independent living unit. The existing garden and curtilage of the overall residential property on this site shall not be subdivided.


Reason: In the interest of clarity and the proper planning and sustainable development of the area.

4. 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.

Board Member


Marie O'Connor

Date: 27/11/2024