

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dun Laoghaire-Rathdown County

Planning Register Reference Number: D15B/0301

An Bord Pleanála Reference Number: PL06D.246018

APPEAL by Carol Fox care of Hendrik W. van der Kamp of 1 Woodstown Court, Knocklyon, Dublin and by Des and Mary-Kate Ryan care of Kelliher Miller Architects of 10 Blessington Court, Dublin against the decision made on the 15th day of December, 2015 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to the said Des and Mary-Kate Ryan in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of conversion of garage, construction of two-storey extension with velux rooflight to side and single and part two-storey extension to rear including alterations to existing two-storey semi-detached dwelling, all at 25 Rosmeen Park, Dun Laoghaire, County Dublin.

DECISION

GRANT 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 the location of the site on residentially zoned lands in the current Dun-Laoghaire Rathdown County Development Plan, to the design, scale and layout of the development and to the pattern of development in the vicinity of the site, 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. 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 submitted on the 12th day of October, 2015 and the 18th day of November, 2015, 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 at permission consequent stage and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The dormer window to the side elevation shall be fitted with opaque glazing. The opaque glazing shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

3. 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 and to ensure a proper standard of development.

4. The entire dwelling shall be used as a single residential unit.

Reason: In the interest of clarity.

5. Site development and building works shall be carried out between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times shall 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 external finishes of the proposed extension including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

Reason. In the interest of visual amenity.

7. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the rear garden area, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

8. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.