

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15B/0398

An Bord Pleanála Reference Number: PL 06D.246441

APPEAL by Catherine Barry of 72 Allen Park Road, Stillorgan, County Dublin against the decision made on the 22nd day of March, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Neil and Mags Buckley care of Luis Reis of 55 Hollybrook Park Southern Cross, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of the following: (1) 14 square metres extension with glazed roof together with alterations to north facing wall to the rear of the existing dwelling at ground floor level, (2) 37 square metres first floor, flat roof extension above ground floor east section of existing dwelling, with windows to the front elevation, high level windows to the east facing elevation and roof lights, (3) new window to east facing elevation at ground floor level, (4) alteration to angle of roof dormer of existing dwelling, to accommodate proposed first floor extension, (5) alterations to the fenestration along the front elevation and (6) four number new roof lights to roof of existing dwelling, all at number 70 Allen Park Road, Stillorgan, 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 to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, specifically section 8.2.3.4(i) which provides guidance in relation to proposals for extensions to dwellings, the pattern of existing development in the area and the design and scale of the proposed extension, 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. 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 and particulars submitted on the 26th day of February, 2016, 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 first floor windows in the southern side elevation shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

3. The Northernmost wall of the first floor extension shall be constructed parallel to the existing rear wall of the main house. This shall result in the north-east wall at first floor being reduced from 10,750 millimetres in length as shown on the drawings lodged with the application, to approximately 9,500 millimetres in length.

Drawings showing this amendment shall be submitted for the written agreement of the planning authority prior to commencement of development on site.

Reason: In the interest of residential amenity.

4. 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.

5. Water supply and drainage arrangements, including the disposal of surface water, shall be in accordance 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.

6. The site and building works associated with the proposed development shall be carried out only between 0700 hours and 1800 hours, Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No development works shall take place on Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity.

7. 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.