

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dun Laoghaire-Rathdown County**

**Planning Register Reference Number: D16A/0258**

An Bord Pleanála Reference Number: PL 06D.246839

**APPEAL** by Michael and Linda Curran care of Jim Brogan of Unit B1, Laurel Lodge Business Centre, Laurel Lodge, Castleknock, Dublin against the decision made on the 3<sup>rd</sup> day of June, 2016 by Dun Laoghaire-Rathdown County Council to refuse outline permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a detached two-storey house with an on-site proprietary wastewater treatment system, including a sand polishing filter, the opening of a new access onto the existing access road and all associated site works, all at Rockfield, Brighton Road, Foxrock, Dublin.

## **DECISION**

**GRANT** outline 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 zoning of the area, to the pattern of development in the vicinity and to the nature of the outline proposed development the Board considered that, subject to compliance with the conditions set out below, the proposed development would 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 agreed with the Inspector's view that a house would be acceptable in principle on this site and that, subject to the submission of an acceptable design at permission consequent stage, the proposed development would not seriously injure the residential or other amenities of the area and would be acceptable in terms of traffic safety and convenience. The Board considered that the matter of a suitable drainage solution for the site could be addressed by means of condition and did not warrant a refusal of outline permission.

## CONDITIONS

1. The plans and particulars to be submitted by way of a separate application for permission consequent shall include the following:
  - (a) a comprehensive site survey, to a scale of not less than 1:500, including contours at intervals of 0.5 metres, showing all existing trees, boundaries and other features,
  - (b) a site layout plan to a scale of not less than 1:500 showing the layout of the house, driveways and sewage treatment system (or connection to public sewer),
  - (c) the finished ground floor level of the house by reference to existing site levels and road level at the proposed entrance,
  - (d) proposals for the landscaping of the site (including planting), and
  - (e) details of external finishes.

**Reason:** To enable the application for permission consequent to be fully assessed.

2. 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.

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

**Dated this                    day of                    2016.**