

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD16B/0114

An Bord Pleanála Reference Number: PL 06S.247041

APPEAL by Wheatfield Road Local Residents care of Anthony Herra of 139 Wheatfield Road, Palmerstown, Dublin against the decision made on the 14th day of July, 2016 by South Dublin County Council to grant subject to conditions a permission to John James Smith of 6b Glenaulin Green, Palmerstown, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of storage shed, yard, vehicular access, gates and blockwork boundary walls, all to the rear of numbers 134 and 135 Oakcourt Drive, Palmerstown, 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 zoning of the site, the objective of which is to protect and/or improve residential amenities and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area and would, therefore, 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 considered that, having regard to the nature, scale and height of the proposed development and to the pattern of development in the area, the proposed development would not seriously injure the residential amenities 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 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 24th day of June, 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 shed shall be used solely as a domestic storage shed.

Reason: In the interest of protecting residential amenity.

3. A clear distance of at least five metres shall be maintained between the Pound Lane Stream culvert and the proposed storage shed.

Revised drawings showing compliance with this requirement including details of paving and separation of foul and surface water drainage systems shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of orderly development and in the interest of public health.

4. Within three months of the date of this order, the developer shall enter into a written agreement with the planning authority under Section 47 of the Planning and Development Act, 2000 which shall allow access from the laneway at the rear (north) of the premises through this site to the surface sewer located in the adjoining rear gardens of numbers 134 and 135 Oakcourt Drive for the purpose of maintenance, repair or replacement. This agreement shall permit the planning authority to temporarily remove walls to facilitate such access, provided that on completion of the necessary works, the walls will be reinstated by the planning authority.

Reason: In the interest of visual amenity.

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

Dated this day of 2016.