

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**South Dublin County**

**Planning Register Reference Number: SD16B/0211**

An Bord Pleanála Reference Number: PL 06S.247227

**APPEAL** by Bernadette McNulty of 14 Sheldon Drive, Kimmage Road West, Dublin and by Rosaleen Fleming and Derek Nolan care of RM Duffy Architecture of 8 Thompson Cottages, Summerhill, Dublin against the decision made on the 25<sup>th</sup> day of August, 2016 by South Dublin County Council to grant subject to conditions a permission to David and Jean Fitzgerald care of John Power of 56 Home Villas, Donnybrook, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Demolition of existing dormer to the front, garage to the side and single storey kitchen and sheds to the rear, single storey extension to the side and rear, two number new dormers to the front and two number new dormers to the rear, new velux windows to the rear, window and door alterations to the front, new single storey shed to the rear, widening of existing vehicular entrance to 3.5 metres wide and all associated site and landscaping works, all at 18 Shelton Gardens, Kimmage, 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 objective, the design and layout of the proposed development and 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 visual amenities of the area or the amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 received by an Bord Pleanála on the 20<sup>th</sup> of October, 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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. 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.

3. Water supply and drainage arrangements, including the attenuation and 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.

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.

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

**Dated this                      day of                      2016.**