

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dun Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0759

An Bord Pleanála Reference Number: PL 06D.247833

APPEAL by Kevin and Avril Moran of 57 Beaufield Park, Stillorgan, County Dublin against the decision made on the 8th day of December, 2016 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Tony O'Connor care of Kenny Kane Associates of Oak Hollow Studio, Upper Glenageary Road, Glenageary, County Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Erection of a two-storey dwelling with pitched roof enclosing the first floor, with associated private open space and car parking at rear of 56 Beaufield Park, 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

The proposed development is located in an area zoned for residential development in the Dun Laoghaire Rathdown Development Plan 2016-2022. Having regard to the character of the area, the modest scale of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of traffic safety and convenience, would not seriously injure the residential amenity of the area and would be in accordance with the provisions of the Development Plan. 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 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 window to the first floor bedroom shall be amended such that the eastern half of this window shall comprise a fixed timber panel.

Reason: In the interest of visual amenity.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Details of materials, colours and textures, including samples, of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. 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 the 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 2017.