



An
Bord
Pleanála

Board Order
PL 06D.248079

Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D16A/0732

Appeal by Moira Slattery of Abbeylands East, Military Road, Killiney, County Dublin and by others against the decision made on the 1st day of February, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Gail and Frank Dempsey care of SSA Architects of 42 Haddington Road, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new partial two-storey, flat roof, detached, three-bedroom, split-level, 187 square metres dwelling with public drainage connections, all within the garden of “Rosscahill” with new vehicular access to Military Road together with works to boundary wall to existing house, all boundary treatments, landscaping and ancillary works, all at “Rosscahill”, Military Road, Killiney, 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 zoning provisions for the site as set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and to the design, character and layout of the development proposed, it is considered that, subject to compliance with the conditions set out below, the proposed dwelling would not adversely affect the character and setting of the protected structures in the vicinity of the site or adversely impact on the Killiney Architectural Conservation Area, would not seriously injure the residential amenities of adjoining properties, would be acceptable in terms of visual impact, and would otherwise be in accordance with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022. 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 6th day of January, 2017, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and shall include the retention and augmentation of established boundary vegetation within the site.

Reason: In the interests of residential and visual amenity.

4. The developer shall ensure that the height of the proposed piers and any gates at the new entry for the proposed dwelling be no more than 1.1 metres so as to provide good visibility for pedestrians and vehicles exiting and entering the proposed new entry.

Reason: In the interest of public safety.

5. Water supply and drainage arrangements, including the 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.

6. 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