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Bord  
Pleanála

**Board Order**  
**PL 06S.248214**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD16A/0449**

**Appeal** by John Leader care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 23<sup>rd</sup> day of February, 2017 by South Dublin County Council to refuse a permission for the proposed development.

**Proposed Development:** Retention of upgraded single storey dwelling and permission for decking, landscaping and ancillary site development works at Grange Orchard, Whitechurch Road, Rathfarnham, 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 scale and design of the dwelling to be retained, to the residential zoning of the site as set out in the current development plan for the area and to the character of the general area, it is considered that, subject to compliance with the conditions set out below, the retention and completion of the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would provide for an acceptable standard of residential amenity for the prospective occupants and would not represent a material contravention of the zoning objective of the South Dublin 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 retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

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

2. This grant of retention permission is for a period of five years from the date of this order.

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

3. This grant of retention permission is for a one-bedroom dwelling unit only.

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

4. The floorspace of the bedroom shall be increased to a minimum of 11.4 square metres. Within three months of the date of this order, documentary evidence that the necessary works have been carried out to comply with this requirement, certified by a suitably qualified person, shall be submitted to and agreed in writing with the planning authority.

**Reason:** To ensure a minimum acceptable standard of residential amenity for the occupants of the dwelling.

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

