



Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D17B/0521

Appeal by Simon Coghlan and Lorraine Carroll of 105 Upper Trees Road, Mount Merrion, County Dublin and by David Carey of 2 Cedarmount Road, Mount Merrion, County Dublin against the decision made on the 19th day of January, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Joan and Vincent Clarkin care of Liam Cullen Design and Planning of 44 Ballinteer Crescent, Dublin, in accordance with plans and particulars lodged with the said Council.

Proposed Development:

The construction of part single storey extension (17.80 square meters) and part two-storey extension (23.67 square meters) to rear of property, conversion of attic space (33.25 square meters), incorporating two dormer windows to rear elevation, insertion of two roof lights on front elevation and associated site works at 103 Upper Trees Road, Mount Merrion, 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 provisions of the current County Development Plan for the area, the pattern of existing development in the area and the design and scale of the proposed extensions, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, and would comply 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 proposed 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 house shall be used as a single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units.

Reason: To prevent unauthorised development.

3. 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. The disposal of foul and surface water on site shall be via separate drainage systems. Details of plans indicating the 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 public health to ensure a proper standard of development.

4. The external finishes of the proposed extensions, including roof, shall be the same as those of the existing dwelling in respect of colour and texture. Details in this regard 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 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.

Paul Hyde

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

Dated this day of 2018.