



Planning and Development Acts 2000 to 2018

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D18A/0391

Appeal by Ronan O'Dwyer of 23 Clonfadda Wood, Mount Merrion Avenue, Blackrock, County Dublin against the decision made on the 23rd day of July, 2018 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Fiona and Brian Doran care of DMVF Architects of 276 to 278 Lower Rathmines Road, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Modifications to previously approved planning application register reference D17A/1056, consisting of demolition of existing rear wall and extending further to the rear on ground, first floor and attic floor, and increasing the ridge levels on the roof and dormer roof at 22 Cherbury Gardens, Booterstown, 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 objective for the site and the pattern of development in the area, together with the design, scale and layout of the proposed development, 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 residential amenities of property in the vicinity. 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 29th day of June 2018, 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. Save for the amendments granted on foot of this permission, the development shall otherwise be carried out in accordance with the terms and conditions of permission granted under planning register reference number D17A/1056.

Reason: In the interest of clarity.

3. 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.

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

Dated this day of 2018.