

## Board Order ABP-302751-18

Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0723

**Appeal** by David Callaghan care of Manahan Town Planning Consultants of 38 Dawson Street, Dublin against the decision made on the 18<sup>th</sup> day of September, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to the said David Callaghan in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Development consisting of new first floor and pitched roof over existing single-storey dwelling, new driveway/parking space in front garden, internal and external alterations and associated site works 5, Rockfort Cottages, Rockfort Avenue, Dalkey, 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 of the area, the design, layout and scale

of the proposed development and the pattern of development in the area, it is

considered that, subject to compliance with conditions set out below, the

development would not seriously injure the visual amenities of the area or

residential amenity 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 except as

may otherwise be required in order to comply with the following

conditions.

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

- 2. Prior to the commencement of development, the developer shall submit for the written approval of the planning authority, revised plans showing:
  - (a) Omission of the first-floor balcony and glazed screen.
  - (b) Omission of the first floor east facing window.

**Reason**: In the interest of protecting the residential amenity of adjoining properties.

 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 and to ensure a proper standard of development.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Classes 1, 3 and 5 of Schedule 2, Part 1 to those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

**Reason**: In the interest of orderly development, and to allow the planning authority to assess the impact of any such development on the amenities of the area through the statutory planning process

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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. 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.

Eugene Nixon

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this day of 2018.

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