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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2064/18**

**Appeal** by Avril and David Fassbender care of Manahan Planners of 38 Dawson Street, Dublin and by others against the decision made on the 4<sup>th</sup> day of October, 2018 by Dublin City Council to grant subject to conditions a permission to Ceanna Walsh care of Ailtireacht, 30 Mountjoy Square, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development will consist of: (a) The provision of a new one/two/three-storey, three-bedroom split level dwelling to the rear of the existing house. (b) The provision of one new off-street parking space with access from existing private laneway via existing vehicular access to Strand Road. (c) All associated landscaping, roof lights, refuse store, bicycle storage, site works and boundary wall revisions. (d) The widening of the existing vehicular access from the private access lane onto Strand Road, all at 121 Strand Road, Sandymount, 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 area, as set out in the current Dublin City Development Plan 2016-2022, the recent planning history for the area, the nature, extent, design and layout of the proposed development, and the existing pattern of development of the area, it is considered that the proposed development would not injure the residential amenities of property in the vicinity and 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 further plans and particulars submitted the 7<sup>th</sup> day of September 2018, except as may otherwise be required 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 the 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. Prior to commencement of development details of the following matters shall be submitted to, and agreed in writing with, the planning authority:
  - (a) Materials, colours and textures of all external finishes.
  - (b) Water supply and drainage arrangements.
  - (c) Construction Management Plan, including details of construction traffic management, hours of working, noise management measures and off-site disposal of construction waste.
  - (d) Revised flood risk assessment carried out to the requirements of the planning authority.

**Reason:** In the interests of visual and residential amenity, orderly development and the proper planning and sustainable development of the area.

3. Notwithstanding the provisions of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended, no extensions, garages, stores, offices or similar structures, shall be erected without the prior grant of planning permission.

**Reason:** In the interests of residential amenity and in order to ensure sufficient private open space be retained for the occupants of the proposed dwelling.

4. There shall be no vehicular access to the site as part of this development.

**Reason:** In the interest of the proper planning and sustainable development of the area.

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.

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

**Dated this            day of            2019.**