



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18B/0367

Appeal by Bernadette Burke care of Diarmuid Ó Gráda of 16 Louvain, Roebuck Road, Dublin and by others against the decision made on the 30th day of October, 2018 by South Dublin County Council to grant subject to conditions a permission to John Sutcliffe care of Paul Redmond Architectural Services Limited of 50 River Forest View, Leixlip, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of single storey kitchen and living room extension to rear, conversion of garage to playroom at side incorporating new flat roof in place of existing substandard roof and for attic conversion to storeroom with 'Velux' roof light to rear and new dormer window in side gable with all associated site and drainage works at 1 Wainsfort Park, Terenure, 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 South Dublin County Development Plan 2016-2022, and the nature, scale and orientation of the extension to be retained, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not materially contravene the current development plan for the area, and would not seriously injure the residential or visual amenities of the area. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The side window at first floor level and the dormer windows at roof level shall both be provided with manufactured frosted glass.

(b) An accurate existing front elevation drawing, showing the side garage conversion and its roof height.

Revised plans which incorporate these amendments shall be submitted within one month of the date of this Order to the planning authority for written agreement. The agreed works shall be carried out within a further three months of the date of the written agreement with the planning authority.

Reason: In the interest of protecting the residential amenity of adjacent properties.

3. The existing house and extension/attic conversion to be retained shall be jointly occupied as a single residential unit and the extension/attic shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension/attic conversion in the interest of residential amenity.

4. The attic to be retained shall be used for storage only and not as a habitable space.

Reason: To restrict the use of the attic conversion in the interest of residential amenity.

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 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 within two months of the date of this Order 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.

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

Dated this day of 2019.