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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D19A/0072**

**Appeal** by Patrick Kearns and Cariosa Kearns of 11 Bellevue Park, Booterstown, County Dublin against the decision made on the 27<sup>th</sup> day of March, 2019 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Clare Kelly and Garry Kavanagh care of Moynagh McGowan Architecture and Design of 150 Howth Road, Clontarf, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for a new single storey extension to rear with two number rooflight; first floor extension to side over converted garage; conversion of attic area to include extension and alterations to existing roof profile with velux rooflights to front and side and new dormer to rear; alterations to existing entrance porch with new canopy; external insulation to all external walls and modifications to existing fenestration; removal of chimney to rear; detached shed to rear; widening of existing vehicular entrance and all associated site works to an existing two-storey semi-detached house at 12 Bellevue Park, Booterstown, County Dublin.

**Decision**

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**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations 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 Dún Laoghaire-Rathdown County Development Plan 2016-2022, the pattern of development in the area and to the nature, form, scale and design 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 residential or visual amenities of the area. 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. 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. Details of the materials, colours and textures of all external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and 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.

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

**Dated this            day of            2019.**