

An
Bord
Pleanála

Board Order
ABP-312395-22

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21A/0277

Appeal by Stanley Residential DAC care of Virtus of Fifth Floor, The Glasshouse, 11 Coke Lane, Smithfield, Dublin against the decision made on the 2nd day of December, 2021 by South Dublin County Council to refuse a permission to Stanley Residential DAC for the proposed development.

Proposed Development: Construction of a new four-bedroom, detached dormer bungalow and all ancillary site development works, all at Peyton View, Peyton, Rathcoole, 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 infill nature of the application site, to its location in an established residential area and the zoning of the site for residential development, as set out in the South Dublin County Development Plan 2016 – 2022 and to the availability of public piped services and vehicular and pedestrian access, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenity of property in the vicinity, would be in accordance with the provisions of the “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) issued by the Department of the Environment, Heritage and Local Government in 2009, the current County Development Plan for the area and 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.
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Reason: In the interest of clarity.

2. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

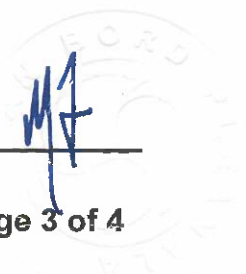
Reason: In the interest of public health.

3. The developer shall enter into water and/or wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

4. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
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Reason: in the interest of visual and residential amenity.



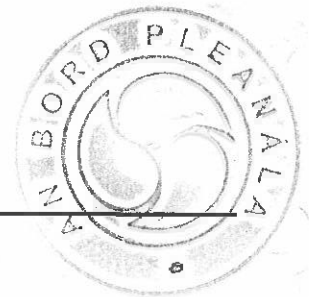
5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.


Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 25th day of April 2022.