



Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22B/0050

Appeal by Janusz Stephniewski care of O'Connor Whelan Limited of 222-224 Harold's Cross Road, Dublin against the decision made on the 6th day of April, 2022 by South Dublin County Council in relation to an application for permission for construction of new pitch roofed two-storey extension to side and all associated site works and retention of single storey extension to rear at 34 Griffeen Glen Boulevard, Griffeen Glen, Lucan, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for retention of single storey extension to rear and to refuse permission for construction of new pitch roofed two-storey extension to side and all associated site works).

Decision

GRANT permission for retention of single storey extension to rear in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for construction of new pitch roofed two-storey extension to side and all associated site works based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the provisions of the South Dublin County Development Plan, 2022-2028, and to the scale, form and design of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the development to be retained would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity. The retention of this element of the development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the development shall be retained 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 within three months of the date of this Order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. 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.

3. 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 three 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.

Reasons and Considerations (2)

Having regard to the removal of all on-site car parking provision, it is considered that the proposed development would increase the pressure on existing shared car parking facilities in the locality thereby exacerbating haphazard parking practices and endangering public safety by reason of traffic hazard and the obstruction of road users. The proposed development would be contrary to the provisions of the South Dublin County Development Plan, 2022-2028, would adversely impact on the residential amenity of the area, and would set an undesirable precedent for the removal of off-street car parking spaces on similar sites. This element of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 30th day of June 2023.