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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D22B/0301**

**Appeal** by Michael and Patricia McDonagh of 7 Charlton Lawn, Goatstown, Dublin against the decision made on the 9<sup>th</sup> day of September, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Conor McCann care of Kevin Tiernan of 19 Aranleigh Gardens, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention for extra height as shown above eaves on rear extension. Retention for a front timber garden shed, all at 9 Goatstown Close, Goatstown, Dublin.

**Decision**

**GRANT permission for the above development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the pattern of development in the area and the nature, form, scale design and layout of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area and 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, as amended by the further plans and particulars received by the planning authority on the 18<sup>th</sup> day of August, 2022, 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. Save for the amendments granted on foot of this permission, the development shall otherwise be retained in strict accordance with the terms and conditions of An Bord Pleanála reference number ABP-301184-18 (planning register reference number D17B/0598), save as may be required by the other conditions attached hereto.

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



3. The rear first floor window serving the extension en-suite shall be permanently fitted with opaque glazing only.

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

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 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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**Stephen Bohan**

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

Dated this 18<sup>th</sup> day of July 2023.