



An
Bord
Pleanála

Board Order ABP-317117-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23B/0065

Appeal by Jerome Kavanagh and Elizabeth Kavanagh care of Armstrong Planning of 12 Clarinda Park North, Dún Laoghaire, County Dublin against the decision made on the 17th day of April, 2023 by South Dublin County Council to grant subject to conditions a permission to Pascal Kidd of 166 Whitehall Road, West Roebuck, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of the widening of existing driveway and for the first-floor bathroom extension at the rear of existing dwelling and all associated site works, all at 166 Whitehall Road West, 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.

5/4

Reasons and Considerations

The development proposed to be retained is located in an area zoned 'to protect and or improve residential amenity' in the South Dublin County Development Plan 2022-2028. Having regard to the pattern of development in the area, including extensions to nearby houses and parking in front gardens, 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 amenities of adjoining property or endanger traffic or pedestrian safety, would be in accordance with the provisions of the South Dublin County Development Plan 2022-2028 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

Reason: In the interest of clarity.

2. Within six months of the date of this Order, the front garden entrance from the public road shall be amended to a maximum width of 3.5 metres. A drawing providing for this arrangement shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of pedestrian and traffic safety.

54

3. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

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

Reason: In the interest of public health.

5. Details of the external finishes of the development to be retained and completed shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of visual amenity.

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 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.





Stephen Brophy

Member of An Bord Pleanála

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

Dated this 9th day of November 2023.