

An
Bord
Pleanála

Board Direction
BD-010983-22
ABP-312496-22

The submissions on this file and the Inspector's report were considered at Board meetings held on 09/05/2021 and 15/07/2022.

The Board decided to make a split decision, to:

(1) grant permission (subject to conditions) for the rear single storey extension

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

(2) refuse permission, in accordance with the Inspector's recommendation for the conversion of the carport to a bedroom

for the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the provisions of the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010), the nature and scale of the re-designed proposed development, and to the established character of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design and layout, would not injure the residential amenities of properties in the area and 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 as amended by the further plans and particulars submitted on the 14th day of January 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 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. The proposed development shall be amended as follows:
 - (a) The western wall of the rear extension shall be re-positioned 0.85 metres away from the boundary line with No. 12 Hansted Way, as set out in Drawing No. ABP 101 dated May 2022.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity and proper planning and sustainable development.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. 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.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the [residential] amenities of property in the vicinity.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

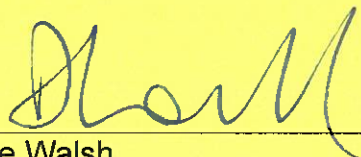
Reasons and Considerations (2)

The Board is not satisfied on the basis of the submissions in relation to this application and appeal that the proposed development would not give rise to haphazard car parking and traffic turning movements in a restricted, shared courtyard which would endanger public safety by reason of traffic hazard.

In deciding not to accept the Inspector's recommendation to refuse permission for the single storey rear extension, the Board had regard to the further information provided by the applicant in response to the section 137 notice and was satisfied that

the amended design of the rear extension which has been re-positioned away from the boundary line with No.12 Hansted Way addressed the concerns raised by the inspector.

Board Member:

A handwritten signature in blue ink, appearing to read 'Dave Walsh', written over a horizontal line.

Dave Walsh

Date: 15/07/2022