



An  
Bord  
Pleanála

**Board Direction**  
**BD-015023-24**  
**ABP-315493-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/01/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the pattern and character of development in the area, the design and scale of the proposed development, and the provisions of the Dublin City Council Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the 'Z1' zoning objective for the site, would not seriously injure the residential amenity of surrounding properties and would not seriously injure the visual amenities of the area. The proposed development 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, 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 the 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 existing hipped roof shall be fully retained while the proposed attic stair shall be accommodated via a hipped pitched roof dormer, set 300mm below the main ridge line and 300mm inward from the side roof planes. The applicant is referred to the example at No. 37 Copeland Avenue (P.A. Ref. No. 2555/14).

(b) The rear dormer shall be set down a minimum of 300mm below the main ridgeline and its roof and east side wall shall run back into the side wall of the amended side dormer extension.

(c) The glazing to the rear dormer shall match the proportions of the first-floor bedroom window below.

**Reason:** In the interest of the visual amenity of the streetscape and to accord with current Dublin City Development Plan requirements, in particular those set out under Appendix 18.

3. The attic space hereby approved shall not be used for human habitation unless it complies with the current Building Regulations.

**Reason:** To ensure a satisfactory standard of development.

4. Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

5. Access to the flat roof of the rear extension shall be restricted to fire escape and maintenance purposes only.

**Reason:** In the interest of protecting residential amenities.

6. The external finishes of the dormer shall be similar to those of the existing dwelling in respect of colour and texture.

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

7. Details of the materials, colours, and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

8. 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 or public holidays. Deviation from these times shall 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.

9. The site development works, demolition and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil, and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

10. 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 the 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.

**Note:**

Please advise all parties that Section 34(13) of the Planning and Development Act, 2000, as amended, states that 'a person shall not be entitled solely by reason of a permission under this section to carry out any development'.

**Board Member**

  
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Una Crosse

**Date:** 11/01/2024