

An
Coimisiún
Pleanála

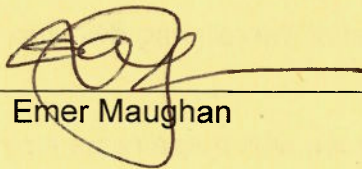
Direction
CD-020510-25
ABP-322443-25

The submissions on this file and the Inspector's report were considered at a meeting held on 20/08/2025.

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

Planning

Commissioner:


Emer Maughan

Date: 20/08/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the guidelines as set out at Section 1.0, Residential Extensions, Appendix 18 to the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of residential properties in the vicinity. 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 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 first-floor flat roof extension shall be reduced to a maximum external depth of 4.5m from the external rear wall of the existing dwelling.

(b) The parapet height for the ground floor extension shall be maximum 3m above the existing ground floor level of the existing dwelling.

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.

3. The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. No part of the flat roof shall be used as a balcony, terrace or private amenity area.

Reason: To protect the residential amenities of neighbouring properties.

5. The attic space shall not be used for human habitation unless it complies with the Building Regulations.

Reason: To ensure an adequate standard of development.

6. All external finishes shall harmonise with the existing finishes on the house in respect of materials and colour.

Reason: In the interest of visual amenity.

7. 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.

8. The developer shall prevent any mud, dirt, debris or other building material from being carried onto or placed on the public road as a result of the construction works and shall repair any damage to the public road arising from the works.

Reason: In the interest of traffic safety and amenity.

9. Site development and building works shall be carried out between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

11. 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 the 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 An Coimisiún 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: The Commission agreed with the Inspector that in principle the proposed development would not seriously injure the amenities of residential properties in the vicinity however the Commission disagreed with the Inspector with regards to the depth of the proposed first-floor extension. The Commission agreed with the Planning Authority that the proposed first-floor extension at c 6.2m in depth from the rear of the existing dwelling is excessive, and would likely lead to overbearing on No. 33 and No. 37 and the Commission therefore considers that it is reasonable to reduce the depth of the subject first-floor rear extension to a maximum external dimension of 4.5m which is consistent with the adjacent first-floor extension at No. 37. Furthermore, the Commission determined that the overall height of the parapet of the ground floor extension be reduced to a maximum of 3m above the existing ground floor level to mitigate the overbearing impact of the proposed extension on the residential amenity of the adjoining owners.