

An
Coimisiún
Pleanála

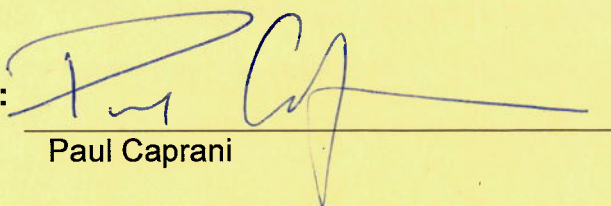
Direction
CD-021379-25
ACP-323162-25

The submissions on this file and the Inspector's report were considered at a meeting held on 19/11/2025.

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:


Paul Caprani

Date: 24/11/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the design, appearance of the proposed extension to the dwelling and the pattern of development in the vicinity, the Commission considered that the proposed development as originally submitted to the planning authority, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity and would not adversely impact on the character 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, as amended by the further plans and particulars received by the planning authority on the 2nd day of March 2025 and the 10th day of June 2025, 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. Notwithstanding the detail on the plans, this permission does not grant any approval for the widening of the vehicular access.

Reason: In the interest of clarity and to ensure compliance with Section 4.3.1 Parking in Front Gardens of Appendix 5: of the Dublin City Development Plan 2022-2028.

3. Details of the external finishes of the proposed extension shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.

4. (a) All necessary measures shall be taken by the applicant to prevent any spillage or deposition of clay, dust, rubble or other debris, whether arising from vehicle wheels or otherwise, on the adjoining and/or adjacent public road and footpath network during the course of the construction works.

(b) Any damage to roads, footpaths or other public property caused by the development shall be made good to the satisfaction of the planning authority.

Reason: In the interests of traffic safety and proper control of development.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

6. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

Reason: In order to ensure a satisfactory standard of development, in the interest of residential amenity.

7. 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 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: The Commission noted that the inspectors report did not specifically address the issues raised in the first party appeal under a separate heading in his report. However it was, in the Commissions opinion, clear that the assessment undertaken by the inspector related to the development as submitted to the planning authority in the first instance (i.e. with the inclusion of the 9.2 sq. m bedroom at first floor) where the inspector concluded that the proposal would be acceptable in terms of its impact on surrounding residential amenity and on character of the area.

The Commission agreed with the inspectors conclusion that the proposal, as originally submitted to the planning authority, was acceptable and that the omission of the bedroom as required by Condition No.3 of the Planning Authority was not necessary, and in itself would do little to reduce any perceived overbearing impact on the rear garden of No17 Kilbarrack Road. The Commission also noted that No17 Kilbarrack Road accommodates a relatively long back garden and that the proposed two-storey element of the extension, at less than 6 meters in height, would not result in a significant or material overbearing impact.