

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 3626/15

An Bord Pleanála Reference Number: PL 29S.245819

APPEAL by John and Maureen Kelly of Lenzie, 92 Kimmage Road West, Kimmage, Dublin and by Kevin Leahy and Siobhan Murphy care of Masterplan Associates of 14A Knockmeenagh Road, Newlands Cross, Dublin against the decision made on the 9th day of November, 2015 by Dublin City Council to grant subject to conditions a permission to the said Kevin Leahy and Siobhan Murphy in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a two storey extension (97 square metres) to the side and rear of the existing house, the conversion of the existing and new attic space to storage area with an associated dormer window to the rear roof, one new window for stairwell to front elevation and elevational changes to the front and rear of the property, the removal of an existing chimney, a new single storey extension to the rear of the existing house with one number rooflights, the widening of the existing driveway to 3.6 metres and all associated site works at number 94 Kimmage Road West, Kimmage, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the Dublin City Development Plan 2011–2017 and the relevant planning history from within the vicinity of the site, it is considered that, the revised proposal would, subject to compliance with the conditions set out below, be compatible with the visual and residential amenities of the area and the extended dwellinghouse would afford a satisfactory standard of amenity to future occupiers. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the nature and scale of the proposed development, no Appropriate Assessment issues arise.

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 An Bord Pleanála on the 7th day of December, 2015, 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 proposed dormer window shall be omitted from the rear roof plane and two roof lights shall be installed instead.
 - (b) Secret rain water goods shall be installed and shall not overhang adjoining properties
 - (c) Details of the pair of replacement gates for the widened site entrance shall be provided.

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 visual and residential amenity.

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

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 only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.