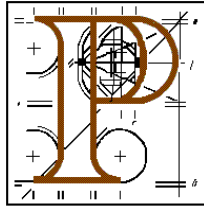


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 3988/15**

An Bord Pleanála Reference Number: PL 29S.246086

**APPEAL** by Maurice Horgan and Gearóid Stanley care of Diarmuid Ó Gráda of 16 Louvain, Roebuck Road, Dublin against the decision made on the 13<sup>th</sup> day of January, 2015 by Dublin City Council to grant subject to conditions a permission to Mark Kenny and Nathalie Desbiens care of Node Architecture of 42 Dawson Street, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** 1. Demolition of existing single storey additions to the rear of the property and garage to the side. 2. Construction of a new two-storey extension to the side and rear of the existing semi-detached house and single storey extensions to the rear. 3. Attic conversion including new dormer windows to the roof to the rear and rooflights to the roof to the front. 4. Internal refurbishment and remodelling works to the existing house. 5. Provision of a solar panel collector to the new roof to the rear. 6. Construction of a single storey studio building to the end of the rear garden. 7. Widening of existing vehicular entrance to the front of the house. 8. Hard and soft landscaping to front and rear of the house. 9. Associated site works and new site drainage installations. All at 10 Greenfield Park, Donnybrook, 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 residential land use zoning of the site, the size and orientation of the site, and to the pattern and character of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property 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 depth of the first floor rear extension shall be reduced to 5.6 metres to match that of the proposed single storey rear extension.
  - (b) The proposed first floor side windows in the south-west and north-east elevations shall be obscure glazed.
  - (c) The proposed attic bedroom shall be lit by one centrally located dormer window of similar design to that proposed.
  - (d) The proposed low level chimney stack in the south-western elevation shall serve a gas fire only.
  - (e) The proposed extension including any roofing/guttering shall not overhang and shall be constructed within the application site boundaries.

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. The external finishes of the proposed extensions to the dwellinghouse 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. The proposed studio building shall be amended as follows:
- (a) The building shall be reduced in floor area so that it is set a minimum of 1.5 metres off the rear and side boundaries.
  - (b) The building shall be designed and constructed so as to retain boundary vegetation.
  - (c) The building shall not be used for human habitation or for any use other than a use incidental to the enjoyment of the dwellinghouse.

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

**Reason:** In the interest of retaining boundary screening and in the interests of visual and residential amenity.

5. The design of the proposed vehicular access shall be amended as follows:
- (a) The driveway entrance shall be at most 3.2 metres in width and shall not have outward opening gates.
  - (b) The footpath and kerb shall be dished at the access and the new entrance shall be provided in accordance with the requirements of the planning authority.
  - (c) There shall be no damage or encroachment to existing roadside trees caused by the widening of the entrance.

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 pedestrian safety and residential amenity.

6. 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.

7. Site development and building works shall be carried only out between the hours of 0700 to 1800 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.

8. 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

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

**Dated this            day of            2016.**