

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 2353/16**

An Bord Pleanála Reference Number: PL 29S.246552

**APPEAL** by Emer Daly and Damien O'Neill care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin and by Anthony O'Flaherty care of Simon Hoe of 13 Clarinda Park North, Dun-Laoghaire, County Dublin against the decision made on the 12<sup>th</sup> day of April, 2016 by Dublin City Council to grant subject to conditions a permission to the said Anthony O'Flaherty in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Internal adaptations and single and two storey extensions to all elevations, including screened balconies to east and west elevations, enlarged dormer window at first floor/roof level to this gabled dormer bungalow, and widening of the gateway and crossover and raising of boundary walls at 10 Airfield 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 zoning objective for the area and the pattern 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 and would be acceptable in terms of traffic safety and convenience. 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 proposed increase in height of the boundary wall to Airfield Park shall be omitted from the development,
  - (b) a single access to the dwelling shall be provided in the north east facing elevation,

- (c) the balcony to the 'front bedroom' and located at the south west corner of the dwelling shall be omitted from the development. The twin opening doors indicated on the plans accessing this balcony shall also be omitted and these doors and associated glazing replaced by a single dormer window of maximum dimensions 1.2 metres in width by 1.0 metres in height and having the same cill height as the permitted dormer windows in this elevation. The area in front of this window shall be roofed to match that proposed to the front of the dormer windows to the north.

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 interest of visual and residential amenity.

3. The external finishes of the proposed development, including roof tiles/slates, shall match those of the existing dwelling in respect of colour and texture. Samples of the proposed materials 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. The dormer windows on the south-west facing elevation serving the en suite bathrooms and the landing area shall be glazed with obscure glass.

**Reason:-** To prevent overlooking of adjoining residential property.

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

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

6. Water supply and drainage arrangements, including the 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 out only between the hours of 0700 to 1800 Mondays to Fridays 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.

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.**