

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin County**

**Planning Register Reference Number: 2316/16**

An Bord Pleanála Reference Number: PL 29N.246567

**APPEAL** by Conor Majoram care of Paul Sheehy of 4 Maywood Crescent, Raheny, Dublin against the decision made on the 15<sup>th</sup> day of April, 2016 by Dublin City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Demolition of an existing single storey extension to the side of 326 Swords Road and construction of two new semi-detached two-storey dwellings with attic conversions to the side of the existing dwelling with two number parking spaces to the front, all at 326 Swords Road, 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 nature and scale of the proposed development, the existing character and pattern of development in the vicinity of the site and to the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the development as proposed would not seriously injure the residential amenities of adjoining or adjacent dwellings or the amenities of the surrounding area, would not conflict with the policies and objectives of the Dublin City Development Plan 2011-2017, would make efficient use of serviced residential land, would be acceptable in terms of traffic safety and convenience and would 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 appeal documentation received by An Bord Pleanála on the 5<sup>th</sup> day of May 2016, 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 east facing first floor windows to the master bedroom of house B and the bathrooms of both houses shall be glazed in obscured glass.

**Reason:** In the interest of reducing overlooking of the adjoining property.

3. The front garden area to be used for car parking shall be constructed using permeable materials or otherwise allow for rainwater to soak into the ground within the property.

**Reason:** In the interests of amenity, ecology and sustainable development.

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 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.

6. During the demolition and construction, 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. Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in BS 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

**Reason:** In order to ensure a satisfactory standard of development in the interests 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

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

**Dated this            day of            2016.**