

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16B/0517

An Bord Pleanála Reference Number: PL 06D.248161

APPEAL by Michael Fahey care of Prendiville Planning of 10 Loretto Terrace, Bray, County Wicklow against the decision made on the 16th day of February, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Aslam Rawat and Naseema Moorad care of M Architecture of 21 Grantham Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: A new canopy over the front entrance, a new two storey extension with flat roof to the rear to replace the existing single storey extension with pitched roof, removal of the chimney, internal alterations to the existing house layout and associated site works at 34 The Rise, Woodpark, Ballinteer, 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, to the pattern of development in the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties and would not be out of character with the pattern of development in 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, 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 first floor rear extension shall be reduced in depth by one metre.
 - (b) The glazing on the rear elevation at first floor level serving the master bedroom shall be reduced in overall height and width to match the dimensions of the existing window in place.
 - (c) The proposed frameless guard on the rear elevation shall be omitted.
 - (d) All glazing in the first floor windows on the south facing elevation shall be manufactured opaque glass, which shall be permanently maintained.

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

Reason: In the interest of protecting the residential amenities of neighbouring dwellings.

3. 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.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste and a construction stage traffic management plan.

Reason: In the interest of public safety and residential amenity.

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 the 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 2017.