



An
Bord
Pleanála

Board Order
PL 29S.248533

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2393/17

Appeal by Deirdre White of 154 Benmadigan Road, Drimnagh, Dublin against the decision made on the 26th day of April, 2017 by Dublin City Council to grant subject to conditions a permission to Virginijus Sveikauskas care of Brian Donovan Architect of 131 Rathgar Road, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of first floor extension to the rear at 153 Benmadigan Road, Drimnagh, 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 provisions of the Dublin City Development Plan 2016-2022, and to the nature and scale of the development for which retention is sought and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the amenities of the area or of property in the vicinity. The development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development for which retention is sought shall be amended as follows:

The existing flat roof over the first floor rear extension shall be replaced with an "A" shaped pitched roof which integrates fully with the existing roof profile of the mid terrace house, and is located entirely within the development site. Any damage to the neighbouring roof areas during the implementation of this condition shall be made good at the developer's expense.

Revised plans, which incorporate these amendments, shall be submitted within two months of the date of this order to the planning authority for written agreement. The works shall be completed within a further six months from the date of agreement with the planning authority.

Reason: In the interests of visual and residential amenity.

3. Site development and building works shall be carried out between the hours of 08.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

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

Dated this day of 2017