



An  
Bord  
Pleanála

**Board Order**  
**PL 29S.248666**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council.**

**Planning Register Reference Number: WEB1145/17.**

**Appeal** by Marie Lakes of 5 Madden Road, Dublin against the decision made on the 16<sup>th</sup> day of May, 2017 by Dublin City Council to grant subject to conditions a permission to Claire O'Neill and Paul Manning care of Ann Canning of 5 Fingal Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of ground floor accommodation and shed to the rear, the construction of a single storey extension to the rear and an attic conversion with a dormer window to the rear roof slope, all at Number 4 Madden 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**

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 by reason of overdevelopment due to excessive scale and overbearing impact, would not give rise to an undue degree of overlooking and overshadowing and would be in accordance with the proper planning and 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 further plans and particulars lodged with An Bord Pleanála on the 11<sup>th</sup> day of July, 2017, 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 following modifications shall be provided for and adhered to in the development:-
  - (a) The dormer window shall be set at a minimum distance of 100 millimetres below the roof ridge line.
  - (b) The internal accommodation at attic level shall not be used for human habitation purposes.

**Reason:** In the interest of visual and residential amenities and clarity.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

**Reason:** In the interest of the amenities of the area.

4. The external finishes of the proposed extension shall match those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

5. 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.

6. Hours of construction shall be confined to between the hours of 0800 and 1900 from Mondays to Fridays, excluding Bank Holidays and between the hours of 0800 and 1400 on Saturdays only. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In the interest of the amenities of the area and of clarity.

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

**Dated this          day of    2017**