



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2307/18

Appeal by Louise Heffernan and Eoin Duff care of James McInerney of 8 Rochford Park, Kill, Naas, county Kildare against the decision made on the 3rd day of April, 2018 by Dublin City Council in relation to an application by the said Louise Heffernan and Eoin Duff for permission for single storey side and rear extension, various internal alterations, attic conversion to habitable space with dormer windows on the front and rear elevation, two velux roof lights added to front a lined roof and widen existing vehicular access to 3,500 millimetres at 143 Walkinstown Road, Walkinstown, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the widening of existing vehicular access to 3,500 millimetres and to refuse permission for single storey side and rear extension, various internal alterations, attic conversion to habitable space with dormer windows on the front and rear elevation, two velux roof lights added to front a lined roof).

Decision

GRANT permission for single storey side and rear extension, various internal alterations, two velux roof lights added to front a lined roof and widening of existing vehicular access to 3,500 millimetres in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for attic conversion to habitable space with dormer windows on the front and rear elevation based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the Z1 zoning objective, the policies and objectives of the Dublin City Development Plan 2016 to 2022, in particular Section 16.10.12 and Appendix 17 relating to residential extensions, the design and layout of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity. 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Revised plans illustrating the omission of the attic conversion shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

3. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority and the driveway entrance shall not have outward opening gates.

Reason: In the interest of pedestrian safety.

4. 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.

5. The external materials to be used shall be the same as that used on the existing dwelling.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between 0800 and 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.

Reasons and Considerations (2)

Having regard to the design, scale and massing of the proposed attic conversion, the pattern of development in the area and the policies and objectives of the Dublin City Development Plan 2016 to 2022, in particular Section 16.10.12 and Appendix 17 relating to residential extensions, it is considered that the proposed development would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.