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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2743/19**

**Appeal** by Liam and Niamh O'Neill of 29 Rostrevor Road, Rathgar, Dublin and by Others against the decision made on the 6<sup>th</sup> day of June, 2019 by Dublin City Council to grant subject to conditions a permission to Steven Cochrane and Fiona O'Regan care of Emmet Duggan Architects Limited of Beech Lodge Design Studio, Beech Road, Arklow, County Wicklow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Alterations and additions to an existing two-storey detached dwelling, comprising the construction of a new single storey extension with pitched roof to the rear, and the construction of a new first floor extension above an existing single storey flat-roofed extension to the rear, together with revisions to existing window openings to front, side and rear elevations, new velux rooflights to the roof, and all ancillary site works at 96, Orwell Road, Rathgar, 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 site layout and to the design, form and scale, height, materials and external finishes of the proposed extension it is considered that, subject to compliance with the conditions set out below, the proposed extension, in conjunction with the existing dwelling to be extended would satisfactorily integrate with the adjoining dwellings and the established pattern and character of development in the area, would not seriously injure the residential amenities of adjoining properties, would not devalue properties within the vicinity and, would be consistent with the standards and guidance for extensions and alterations to dwellings as provided for in section 16.10.12 and Appendix 17 of the Dublin City Development Plan, 2016-2022 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, 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. A two metre high solid block wall, fully capped and rendered shall be constructed on the inner side of the boundary prior to occupation of the extension. Revised site plan and wall details shall be submitted to and agreed in writing with the planning authority prior to commencement of the development.

**Reason:** In the interest of the residential amenities of the adjoining properties.

3. The first floor south facing window of the proposed extension shall be fitted with obscure glazing and shall be top opening only.

**Reason:** In the interest of the residential amenities of adjoining properties.

4. All external finishes of the proposed development shall match those of the existing house.

**Reason:** In the interests of the visual and residential amenities of the area.

5. 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.

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

**Dated this                    day of                    2019**