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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1347/19**

**Appeal** by Laura Kelly care of Power Kelly and Company of Mespil Business Centre, Sussex Road, Dublin against the decision made on the 8<sup>th</sup> day of August, 2019 by Dublin City Council to grant subject to conditions a permission to Bill Sheridan and Una McCullagh care of Laurie O'Connor of 30 Belton Park Gardens, Collins Avenue, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a new single storey porch extension and two-storey extension to front and side, lowering of cill to existing front reception window, construction of a single storey extension and dormer extension to rear, increase of existing vehicular entrance width to 3.6 metres, and new rooflight to front, all together with associated site and landscape works, at 16 Sandymount Castle Park, Sandymount, 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 zoning objective for the site, Z1: “To protect, provide and improve residential amenities”, as set out in the Dublin City Development Plan 2016 to 2022, and to the design, form and layout 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 the adjoining properties by reason of overbearing impact, overshadowing or overlooking or, the visual amenities or architectural character of the streetscape, would not be prejudicial to public health by reason of flooding risk, and would, otherwise, 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:

The rear elevation dormer window shall be reduced in width to a maximum of four metres resulting in a one metre increase in distance from the northern edge of the roof.

Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, revised plan, section and elevation drawings in the regard.

**Reason:** In the interest of the visual amenities of existing development in the area and the residential amenities of adjoining properties.

3. Details of materials, colours and textures of all external finishes, which shall include the provision of samples for roof over the porch and children's lounge and for the dormer window, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

4. 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.

5. Details of the proposed increased vehicular entrance shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of traffic safety.

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

**Dated this                      day of                      2020.**