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**Planning and Development Acts 2000 to 2019**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD19B/0311**

**Appeal** by Raymond Sweeney of 29 Sycamore Avenue, Kingswood Heights, Dublin against the decision made on the 30<sup>th</sup> day of September, 2019 by South Dublin County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a single storey extension attached to the eastern side of existing dwelling containing two number bedrooms, bathroom, living room and store at 29, Sycamore Avenue, Kingswood, 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 nature and scale of the proposed development and to the established character and pattern of development in the vicinity of the site 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 property or other property in the vicinity of the site. 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 in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended, as follows:
  - (a) The development shall be relocated one metre in a westerly direction,
  - (b) The proposed living room window in the eastern elevation of the proposed extension shall be omitted or shall be relocated to the northern elevation of the site.

Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In order to protect the residential amenities of the neighbouring dwelling to the east of the site.

3. The proposed store room window shall be fitted with obscure glazing.

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

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. Arrangements for 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. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0700 to 1300 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.

7. 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 the permission.

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

**Dated this            day of            2020**