



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3461/19

Appeal by David Curran and Dympna Kenny of 63 Killester Park, Killester, Dublin against the decision made on the 5th day of November, 2019 by Dublin City Council North to grant subject to conditions a permission to John Lambe care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The construction of a flat-roofed extension to the rear of the ground floor and a first floor pitched roofed extension to the front rear and side of the existing bungalow (approved under planning register reference number 4659/05) to provide an additional bedroom resulting in a part single, part two-storey, two-bedroom dwelling, with landscaping, boundary treatments and all ancillary works necessary to facilitate the development. The proposed extension and existing dwelling will be finished in a smooth render finish, aluclad windows and doors, all at 65a, Killester Park, Killester, 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 “Z1” for the area, as set out in the Dublin City Development Plan 2016-2022 and to the pattern of residential development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Development Plan, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars submitted on the 10th day of October 2019, 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 depth of the rear extension shall be reduced by 1.5 metres.

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

Reason: In the interests of visual and residential amenity.

3. The rear garden arrangement, as submitted with the further information on the 10th day of October, 2019, shall be put in place concurrent with the development with new boundaries between the rear gardens of Numbers 61, 65 and 65A matching existing boundaries to a height no greater than two metres.

Reason: To protect residential amenities.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit, and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

5. The flat roof of the rear extension hereby approved shall be accessed for fire escape and maintenance purposes only.

Reason: To protect existing amenities.

6. All the external finishes shall harmonise in materials, colour and texture with the existing finishes on the house. Details including samples of the materials, colours and textures of all the external finishes to the extension, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of orderly development and of the visual amenities of the area.

7. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed extension, without a prior grant of planning permission.

Reason: In the interests of residential and visual amenity, and in order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the dwellinghouse.

8. 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 and to ensure a proper standard of development.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual and residential amenity.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - (a) Hours of working;
 - (b) Noise management measures;
 - (c) Measures to prevent and mitigate the spillage or deposit of debris, soil or other material on the adjoining public road network, and
 - (d) Off-site disposal of construction/demolition waste.

The developer shall be obliged to comply with the requirements, as set out in the Code of Practice.

Reason: In the interests of public health and safety and residential amenity.

11. During the construction phase the proposed development shall comply with the requirements, as set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise and Air Pollution Section of the planning authority.

Reason: To ensure a satisfactory standard of development.

12. All necessary measures shall be taken by the contractor, including wheel wash facilities, to prevent the spillage or deposit of clay, rubble or other debris on adjoining accessway and local public road network during the course of the works.

Reason: To protect the amenities of the area.

13. The site development and construction works shall be carried out in such a manner as to ensure that the adjoining accessway and local public road network are kept clear of debris, soil and other material, and if the need arises for cleaning works to be carried out on the adjoining accessway and public roads. The said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of public safety and orderly development.

14. All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In the interest of the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2020.