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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2910/20**

**Appeal** by Phil Reddy and Catherine Hayes of 18 Philipsburgh Avenue, Fairview, Dublin and by Máire Ní Bhradaigh of 12 Windsor Villas, Fairview, Dublin against the decision made on the 18<sup>th</sup> day of August, 2020 by Dublin City Council to grant subject to conditions a permission to Máire Ní Bhradaigh in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The proposed work will consist of building a partly obscured oriel window on the upper floor front wall of the house. Retention permission is sought for changes to planning register reference number 2662/18 consisting of converting the carport to an enclosed garage with partly thickened outer leaf wall, relocating a front ground floor window, extending the single storey kitchen, enclosing the upper floor front void and extending the upper floor bedroom for additional wardrobe storage space, building an obscured glass rear landing window and a utility room with a rear-facing obscured glass fixed window. The works also include raising the rear parapet wall for a sedum roof above the living area, all at 12 Windsor Villas, Fairview, 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 planning history of the site, to the nature and scale of the proposed development and the development for which retention permission is sought, to the existing pattern of development in the vicinity and to the provisions of the Dublin City Development Plan 2016 - 2022, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the residential amenities of the area or of property in the vicinity and would provide a suitable level of amenity for future occupants, including an appropriate provision of amenity space and on-site car parking in accordance with the provisions of the Development Plan. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development and the development proposed to be retained shall be carried out, completed and retained 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, completed and retained in accordance with the agreed particulars.

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

2. Apart from any departures specifically authorised by this permission, the development shall be carried out in accordance with the terms and conditions of the permission granted on the 17<sup>th</sup> day of September, 2015 under An Bord Pleanála reference PL 29N.245068 (planning register reference number 2599/15) and also under the permission granted on the 3<sup>rd</sup> day of July, 2018 under the planning register reference number 2662/18 and any agreements entered into thereunder.

**Reason:** In the interests of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001 - 2020, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house or shall be erected within the rear amenity area without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of rear amenity space is retained for the benefit of the occupants of the extended house.

4. Site development and building works shall be carried out only between the hours of 0800 and 1700 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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**Dave Walsh**

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

**Dated this            day of            2021.**