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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1482/20**

**Appeal** by Niamh and John Moore of 16 Ard Righ Road, Stoneybatter, Dublin against the decision made on the 7<sup>th</sup> day of September, 2020 by Dublin City Council to grant subject to conditions a permission to Ellen Kirk care of Terry and O’Flanagan Limited of F1, Centrepont Business Park, Oak Road, Crumlin, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of existing rear extension and construction of a new part two-storey, part single storey, extension to the rear and internal modifications at ground and first floor level of existing two-storey terraced dwelling at number 15 Ard Righ Road, Stoneybatter, 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 Z2 zoning objective for the area as set out in the Dublin City Development Plan 2016 – 2022 and to the existing pattern of development in the area it is considered that, subject to compliance with the conditions set out below (including the omission of the first floor element of the extension), the proposed development would not seriously injure the residential or visual amenities of the area. 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 with the planning authority prior to the 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 first floor extension shall be omitted from the development. 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 interest of protecting the residential amenities of adjoining properties, as it is considered that the first floor extension would unduly impact by way of overshadowing and being overbearing on adjacent properties.

3. The external finishes of the proposed extension shall match the external finishes of the existing dwelling in terms of colour and materials used.

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

4. Water supply and drainage arrangements, including the attenuation of surface water shall comply with the detailed requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. Prior to commencement of development, a construction management plan shall be submitted to and agreed in writing with the planning authority. The plan shall include details of the intended construction practice including proposals for traffic management, noise management and measures for off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and residential amenity.

6. The site development and building works shall be carried out only between the hours of 0700 hours to 1800 hours Mondays to Fridays inclusive, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviations 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.

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**Paul Hyde**

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

**Dated this            day of            2021.**