

An
Bord
Pleanála

Board Order
ABP-309927-21

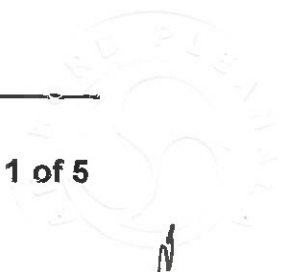
Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21B/0022

Appeal by Paul and Olive Rafferty of 25 Castle Riada Crescent, Lucan, County Dublin against the decision made on the 16th day of March, 2021 by South Dublin County Council to grant subject to conditions a permission to Jing Wu of 4 Castle Riada Avenue, Lucan, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: A 67 square metres ground floor extension to the rear and side of semi-detached house, comprising of a porch, bedroom, laundry, toilet, playroom, kitchen, dining room with skylights in the rear slope of roof. An 18 square metres first floor extension to the side of semi-detached house, comprising of a bedroom and a bathroom. A 41 square metres attic conversion comprises of a bedroom, toilet and storage with roof lights in front and rear slope of roof at attic level. Alterations to the first floor to accommodate stairs to attic conversion, all at 4 Castle Riada Avenue, Lucan, County Dublin.



Decision

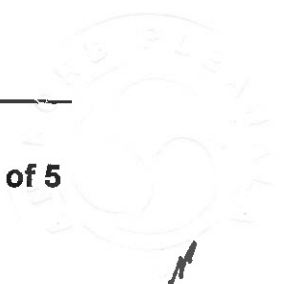
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 South Dublin County Council Development Plan, 2016 - 2022 and to the location of the site in an area subject to the zoning objective, RES: 'to protect and/or improve the residential amenity', 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 the visual amenities of the area, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.



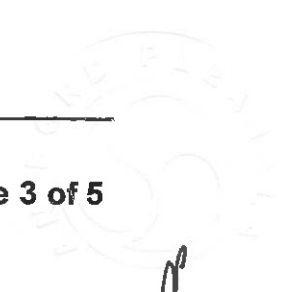
Conditions

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. Prior to the commencement of the development the applicant shall submit to, and agree in writing with, the planning authority, a revised plan, and elevation drawings which shows the following modifications.
 - (a) The attic conversion and dormer window shall be omitted.
 - (b) The roof of the first-floor extension shall be revised accordingly.
 - (c) The windows in the first-floor bathrooms shall be fitted with obscure glazing.

Reason: In the interests of the visual and residential amenities of adjoining properties.



3. Details of the materials, colours and textures of all the external finishes to the proposed development, 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. 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. Site development and building works shall be carried only out between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between 0800 and 1400 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.

6. 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.

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 to the permission.

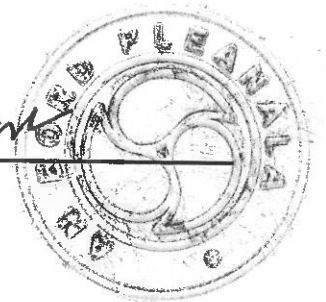
Terry Prendergast

Terry Prendergast

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 5th day of July 2021.