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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1105/21**

**Appeal** by Laura Ní Cheallaigh and Enda McDonagh of 14 Gracefield Avenue, Artane, Dublin and by Laura Ní Cheallaigh and Enda McDonagh care of O'Neill Town Planning against the decision made on the 6<sup>th</sup> day of April, 2021 by Dublin City Council to grant subject to conditions a permission to the said Laura NíCheallaigh and Enda McDonagh in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development consists of the widening of the existing vehicular access to the front of existing house exiting on Gracefield Avenue and to move the existing pedestrian access to the lane to the rear of existing house and for the construction of a single storey extension to the rear of existing house and for all associated site works at 14 Gracefield Avenue, Artane, 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 residential zoning objective for the area and to the pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity 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

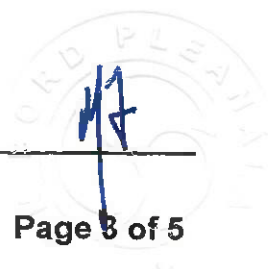
1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 4<sup>th</sup> day of May, 2021, except as may otherwise be required in order to comply with 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 height of the flat roofed part of the extension above the proposed kitchen area shall be a maximum of 3.15 metres above ground level.

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 residential amenity.



3. Prior to commencement of development, the developer shall submit a copy of scaled drawings of the permitted extension ('Option B' as amended) to the requirements of the Planning and Development Regulations, 2001, as amended, for the written agreement of the planning authority.

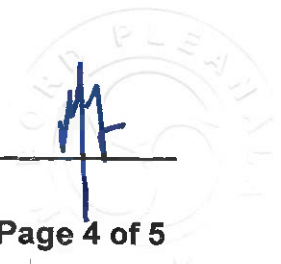
**Reason:** In the interest of clarity.

4. Prior to commencement of development, details of the external finishes of the proposed extension shall be submitted to, and agreed in writing with, the planning authority.

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

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 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. 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.



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



Dated this 30<sup>th</sup> day of July 2021