

An
Bord
Pleanála

Board Order
ABP-310417-21

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21B/0136

Appeal by Anne Jackson care of Hendrik W. van der Kamp of 1 Woodstown Court, Knocklyon, Dublin against the decision made on the 10th day of May, 2021 by South Dublin County Council to refuse a permission to Anne Jackson for the proposed development.

Proposed Development: Removal of existing first floor balcony area (circa 4.6 square metres) and replacement with a glazed dormer addition increasing the master bedroom floor area by circa 7.4 square metres and construction of a green roof/terrace with glazed balustrade with access from the master bedroom only, at the roof level of the single storey extension (circa 50 square metres) approved by Decision Reference Number SD20B/0250 (not yet constructed) all to the rear of the dwelling (south elevation), all at Saint Anne's, Glassamucky Brakes, Bohernabreena, 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 limited nature and scale of the proposed development, to the orientation and location of the proposed roof terrace relative to adjacent residential receptors and to the level of screening provided by existing boundaries and buildings, the Board considered that the proposed development would have a negligible impact on the visual amenities of the High Amenity Dublin Mountain Area and would not seriously injure the residential amenity of properties in the vicinity of the site. 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 and by the further plans and particulars received by An Bord Pleanála on the 4th day of June, 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 height of the balustrade that is facing north-west on the terrace shall be 1.8 metres in height and with an opaque glazing finish.

Reason: In the interest of clarity and to prevent overlooking of adjoining residential property.

3. The development shall be carried out in accordance with the conditions attached to the grant of permission by the planning authority for a single storey extension to the rear of the existing dwelling under Planning Register Reference Number SD20B/0250).

Reason: In the interest of clarity.

4. All trees within and on the boundaries of the site shall be retained and maintained in accordance with the provisions of the Arboricultural Report submitted with the application, with the exception of the following:

- (a) Specific trees, the removal of which is authorised in writing by the planning authority to facilitate the development.
- (b) Trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

Reason: In the interest of visual amenity.

- 5. 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.

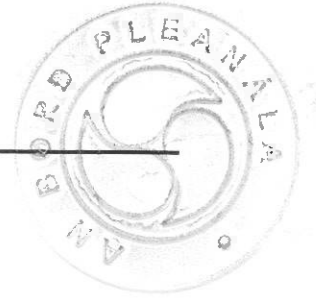
Reason: It is a requirement of the Planning and Development Act, 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *9th* day of *Sept.* 2021.