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**Planning and Development Acts 2000 to 2020**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD21B/0188**

**Appeal** by Marilyn McGivern care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 31<sup>st</sup> day of May, 2021 by South Dublin County Council to refuse permission for the proposed development.

**Proposed Development:** Two-storey rear extension; conversion of attic into habitable rooms; three new dormer roofs to side elevations; one new dormer roof to front elevation; alterations to roof pitch; alterations to front elevation; seven new roof windows and widening of driveway entrance at 47, Dangan Park, Kimmage, 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, the pattern of development in the vicinity and the scale, nature and design of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of scale, design and use, and would not seriously injure the amenities of the area or of property in the vicinity. 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 28<sup>th</sup> 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. Obscure glazing shall be used in the dormer window to the stairs/landing.

**Reason:** In interest of amenities of adjoining property.

3. The vehicular entrance shall be not be increased in width.

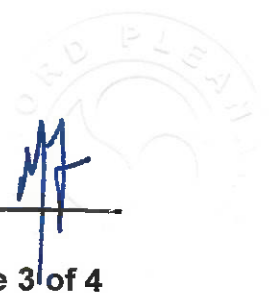
**Reason:** In the interest of the amenities of the area.

4. Drainage arrangements, including the 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.


5. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

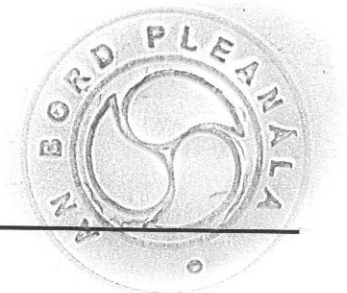
**Reason:** In order to safeguard the residential amenities of property in the vicinity.



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 21<sup>st</sup> day of September 2021