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**Planning and Development Acts 2000 to 2020**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD21B/0305**

**Appeal** by Noel Soden care of Thomas Wilkins of Inshallagh, Newtown, Celbridge, County Kildare against the decision made on the 19<sup>th</sup> day of July, 2021 by South Dublin County Council to refuse permission to Noel Soden for the proposed development.

**Proposed Development:** Single storey extension to rear of property incorporating an extension to existing bedroom to facilitate wheelchair access as well as wheelchair accessible wet room, all at 17 Palmerstown Drive, 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 modest scale of the development to the rear of the site and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the residential amenities of neighbouring properties by reason of overbearing. The proposed development would be in accordance with the underlying land use zoning objective pertaining to the site and with the policies and objectives of the current South Dublin County Council Development Plan in relation to extensions and alterations. 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 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 parapet roof profile of the rear extension shall not be permitted and details of a revised hipped roof feature for the extension whereby the eaves and ridge height shall be consistent with the existing established and permitted single storey rear kitchen extension on site shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of residential and visual amenity.

3. 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 and to ensure a proper standard of development.

4. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

**Reason:** In the interest of sustainable waste management.

- 5 Site development and building works shall be carried out only between the hours of 0700 and 1900 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 amenities of property in the vicinity.

6. The external finishes of the proposed extension shall be in accordance with the details, as submitted with the application to the planning authority on the 25<sup>th</sup> day of May, 2021.

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

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.

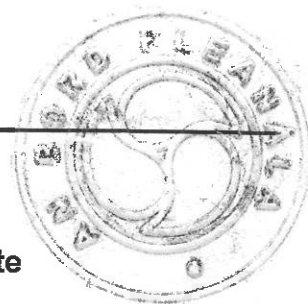
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 9<sup>th</sup> day of December 2021.