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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2674/21**

**Appeal** by Jack Cosgrave care of Brock McClure, Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin and by Gerard Wills care of RW Nowlan and Associates of Number 37 Lower Baggot Street, Dublin against the decision made on the 13<sup>th</sup> day of September, 2021 by Dublin City Council to grant subject to conditions a permission to the said Jack Cosgrave in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The proposed development will consist of the extension of the existing dwelling to comprise a kitchen, dining, living area at ground floor (approximately 43 square metres), and at first floor attic conversion and extension to comprise two bedrooms, bathrooms and ancillary accommodation (approximately 50 square metres). A single storey garden room (approximately 30 square metres) is also proposed, with uses ancillary to the residential dwelling and not for habitation. Overall, the proposed development proposes a four-bedroom unit. Permission is also sought for all internal works, landscaping, services, and boundary treatment at 4 Beaver Row, Donnybrook, 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.**

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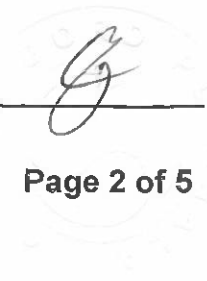
## **Matters Considered**

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 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.

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## 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 the planning authority on the 19<sup>th</sup> day of August 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 proposed first floor extension shall not extend more than three metres from the rear wall of the existing dwelling.
  - (b) The first floor window in the side (north-western) elevation serving the 'master bedroom' in the proposed extension shall be glazed with obscure glass.

Revised plans and elevations with the necessary alterations delineated thereon shall be submitted to the planning authority for written agreement prior to commencement of development.

**Reason:** To protect the amenities of adjoining property.



3. The roof of the ground floor extension shall not be used as a balcony or terrace.

**Reason:** To protect the amenities of adjoining property.

4. The proposed garden room shall not be used for human habitation or for any other purpose other than a purpose incidental to the enjoyment of main dwelling.

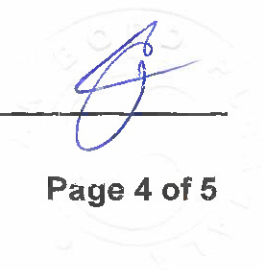
**Reason:** In the interest of clarity and to protect the amenities of adjoining property.

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 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.



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.

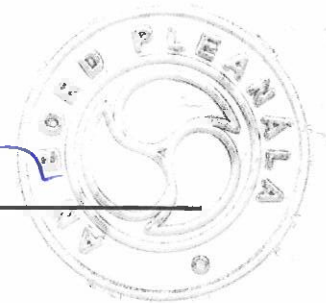


**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**



Dated this 26<sup>th</sup> day of APRIL 2022