



Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21B/0453

Appeal by Emmet and Gillian O'Grady of 5 Hawthorn Drive, Dublin against the decision made on the 15th day of October, 2021 by Dún Laoghaire-Rathdown County Council in relation to the application for permission for development comprising construction of single storey extensions to front (west) and rear (east), and first floor extension over existing converted garage to side (south) with a total proposed extension area of 52 square metres at 5 Hawthorn Drive, Dublin in accordance with the plans and particulars lodged with the said planning authority (which decision was to grant subject to conditions a permission for construction of single storey extensions to front (west) and rear (east) and to refuse permission for first floor extension over existing converted garage to side (south)).

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

The proposed development comprises a modest domestic extension to an existing residential use in an area zoned for residential development in the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the established pattern of development in this serviced suburban area and the nature, scale and design of the proposed extension together with its associated works, would not seriously injure the established character or visual amenities of the parent dwelling or of properties in the vicinity, would not seriously injure the amenities of nearby dwellings and would not be likely to negatively impact on the surface water network in the area or be prejudicial to public health. The proposed development would be in accordance with the zoning objective for the area as set out in the County Development Plan which seeks to protect and/or improve residential amenity in a manner consistent with Section 8.2.3.4 of the County Development Plan which deals with the matter of additional accommodation in existing built-up areas. 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 proposed "Velux" type roof lights shall be centre hung, swivel type window openings.

Reason: In the interest of residential amenity.

3. Details of the materials, colours, and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.



4. Water supply and 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 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 construction of the development shall be managed in accordance with a Construction 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 provide details of intended construction practice for the development, including, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential 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 10th day of March 2022

