



Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21B/0538

Appeal by Paul and Tanya Smyth care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 13th day of December, 2021 by South Dublin County Council to grant subject to conditions a permission to Orla Dooley care of Graham McNevin of 3 Killakee Gardens, Firhouse, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Conversion of garage to side of existing dwelling with first floor extension over with both extending to front of dwelling; (2) Ground floor bay window extension of existing living room to front with covered porch area; (3) Conversion of attic and dormer to rear of existing roof; (4) Single storey extension to rear with internal alterations; (5) Single storey rear garden room and shed (circa 40 square metres, and all associated site works, all at 33 Crannagh Park, Rathfarnham, 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

The proposed development comprises a modest extension to an existing residential use in an area zoned to protect and/or improve residential amenity within the South Dublin County Development Plan 2016 - 2022. Having regard to the variety of extensions and amendments to the existing houses in the area, to the modest scale of the proposed development and its orientation relative to adjoining property, it is considered that, subject to compliance with the conditions set out below, the proposed development would not overshadow adjoining property in a manner that would seriously injure the residential amenity of that property, would be in accordance with the provisions of the County Development Plan and 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. Details of the materials, colours and textures of all the external finishes to the proposed extension 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. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between 0800 and 1400 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.

5. The construction of the development shall be managed in accordance with a Construction 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.

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.



Dave Walsh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this *22nd* day of *April* 2022.