

An
Bord
Pleanála

Board Order
ABP-312527-22

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1841/21

Appeal by Maureen and Lyn Mullery care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 15th day of December, 2021 by Dublin City Council to grant subject to conditions a permission to Melissa Rooney care of Ruairi O'Neill of 37 Carrigmore Crescent, Citywest, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of a two-storey extension to the side of the existing dwelling to include: boot room, home gym and utility to ground floor, two bedrooms, a wc and hotpress to first floor, an entrance porch to the front and associated site works and consists of the retention of an existing two-storey extension to the rear of the dwelling including kitchen to ground floor and bedroom, wardrobe and en-suite to first floor, all at 304 Swords Road, Santry, Dublin. Further public notices were received by the planning authority on the 24th day of November, 2021.

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.

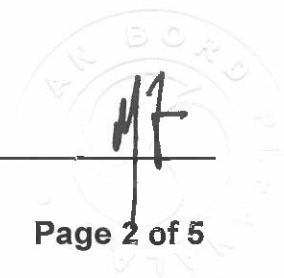
Matters Considered

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 provisions of the Dublin City Development Plan 2016-2022, the pattern of development in the area and the design and scale of the rear extension for which retention is sought, and the side extension for which permission is sought, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area or the residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the pattern of development in the area, and the scale of the proposed development and agreed with the view of the planning authority, that there would be no undue negative impacts on the visual amenity of the immediate area.



Conditions

1. The development for which permission and retention is sought, shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 11th day of November 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed first floor side window serving the bathroom shall be fitted and fixed with obscure glass.

Reason: In the interest of residential amenity.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. This permission does not include the existing detached garden structure to the rear of the garden.

Reason: To clarify the extent of the permission.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

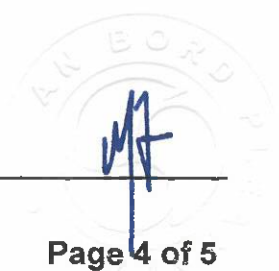
Reason: In the interest of public health.

6. 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.

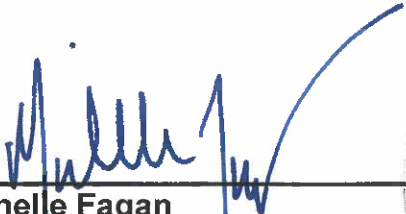
7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

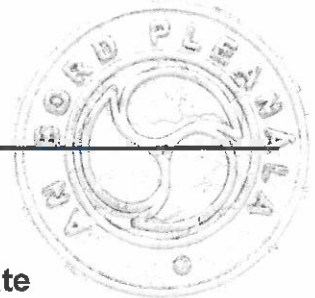
Reason: In order to safeguard the residential amenities of property in the vicinity.



8. 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 8th day of April 2022.