

An
Bord
Pleanála

Board Order
ABP-313128-22

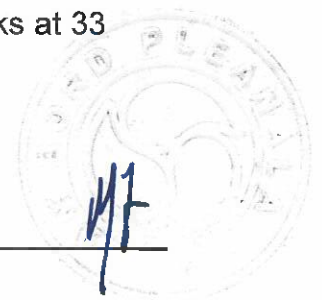
Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3871/21

Appeal by Robert and Michelle Pennie care of BPS Planning and Development Consultants of Ballinatone, Greenan, Wicklow against the decision made on the 25th day of February, 2022 by Dublin City Council to grant subject to conditions a permission to Claire McGann care of Paul Sheehy of 4 Maywood Crescent, Raheny, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Partial demolition of the existing dwelling to facilitate new development to include: planning permission for the construction of 1) a single storey extension to the front, sides and rear of the existing dwelling, 2) a new roof structure over with a raised ridge line including a dormer window to the rear at attic level, 3) new velux roof windows to the front, sides and rear at attic level, 4) alterations to the windows and door layouts to the front, east side and rear at ground floor level, including all associated interior alterations, deep retrofit upgrades and site works at 33 Kilbarrack Road, Dublin.



Decision

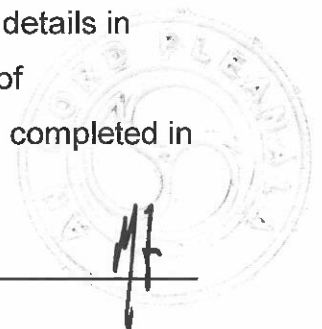
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the residential zoning that applies to the site under the Dublin City Development Plan 2016-2022, to the pattern of development in the area and to the nature, scale and form of the proposed extension of the house on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in keeping with the provisions of the development plan and with the established character of the area, would provide the occupants of the house with an acceptable standard of amenity and would not seriously injure the amenities or tend to depreciate the value of properties in the vicinity of the site. 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 as amended by the further plans and particulars submitted on the 31st day of January 2022, 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 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.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

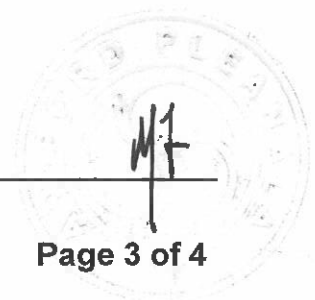
Reason: In the interest of the amenities of the area.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

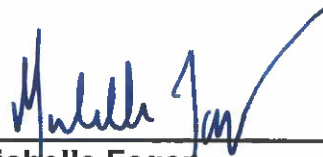
5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.



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.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board

Dated this 20th day of July 2022

