

An
Bord
Pleanála

Board Order
ABP-313390-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB5170/21

Appeal by Niamh McManus and David Bennett care of Martin Murray Architects of 10 Mountpleasant Parade, Ranelagh, Dublin and by Catherine Flanagan of 7 Upper Beechwood Avenue, Ranelagh, Dublin against the decision made on the 25th day of March, 2022 by Dublin City Council to grant subject to conditions a permission to Cathy and Johnny Dalton care of DMVF Architects of 276-278 Lower Rathmines Road, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of an existing single-storey extension to rear and the subsequent erection of a part single-storey, part two-storey extension to the rear; new zinc canopy to new extension; modifications to the internal layout; new master bedroom and ensuite at first floor level; two number new conservation rooflights to the existing roof of the main house; one number new rooflight to the single-story extension to the rear; one number new rooflight to the two-story extension to the rear; two number new solar panels to the existing roof of the main house; enlarging of existing first floor window opening on south elevation; three number new window openings to

existing wall on south (side) elevation; one number new first floor window opening to existing wall on west (rear) elevation; removal of existing shed to rear; erection of a trellis fence on top of the existing south boundary wall (overall height not exceeding 2.4 metres); external modifications to include repointing the front façade; refurbishment of existing front window and front door and fanlight; general restoration and decoration works and all associated site works to existing semi-detached two-storey house, all at 6 Beechwood Avenue Upper, Ranelagh, Dublin.

Decision

GRANT permission for the above 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 zoning objective for the area, to the design, layout and scale of the proposed development, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities 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.



Conditions

1. The development shall be carried out 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 28th day of February, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays, inclusive, between 0900 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

3. 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 interests of public health and surface water management.



4. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

5. The developer shall ensure there is no adverse impact on Luas operations and safety. In this regard, the developer shall ascertain and comply with all requirements of the planning authority prior to the commencement of any works on site.

Reason: To ensure there is no adverse impact on Luas operations and safety concerns.

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.

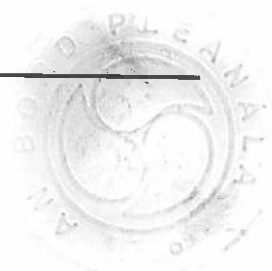


Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Joe Boland

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



Dated this 30TH day of June 2023.