



An
Bord
Pleanála

Board Order
ABP-313607-22

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22B/0088

Appeal by Laurence and Pauline Foster of Rustic Lodge, 39 Whitehall Road, Terenure, Dublin and by Lisa and Fergal Griffin of 37 Whitehall Road, Dublin against the decision made on the 21st day of April, 2022 by South Dublin County Council to grant subject to conditions a permission to the said Lisa and Fergal Griffin in accordance with plans and particulars lodged with the said Council.

Proposed Development: New single storey ground floor extension to the rear elevation including internal ground and first-floor plan alterations. New ground and first-floor extension to the front/side elevation. Fenestration alterations to the front first-floor landing window and ground floor entrance door. Roof alterations required for first-floor side extension, including conversion of existing and proposed attic spaces with roof dormer to the rear elevation for the provision of a bedroom, ensuite bathroom and attic storage at second-floor level and roof windows to the front elevation. Including the widening of existing vehicular entrance onto Whitehall Road and all associated site works, all at 37 Whitehall Road, 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 residential zoning objective for the area, the design and scale of the proposed development, and 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 residential and visual the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The proposed development shall be amended as follows:
 - (a) The proposed gable roof reconfiguration shall be redesigned from a fully pitched roof profile to a half-hipped roof profile.
 - (b) The internal dimensions of the attic floor plan shall be revised to correspond with the half-hipped roof profile.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. All external finishes shall harmonise in colour or texture that is complementary to the house or its context. 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. (a) The vehicular access point shall not exceed a width of 3.5 metres.
 - (b) The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department and at the developer's expense.
 - (c) The boundary walls at the vehicle access points shall be limited to a maximum height of 0.9 metres and any boundary pillars shall be limited to a maximum height of 1.2 metres.



- (d) Any gates shall open inwards and not outwards over the public domain.

Reason: In the interest of public safety and the proper planning and sustainable development of the area.

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 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 residential amenities of property in the vicinity.

6. The construction of the proposed 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 interest 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.



Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *27th* day of *July* 2023.