

An
Bord
Pleanála

Board Order
ABP-314027-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1353/22

Appeal by Annette O'Shea care of Newmark Architects of 11 Newmarket Square, Dublin and by Niall and Clare Ryan of 157 Philipsburgh Avenue, Fairview, Dublin against the decision made on the 13th day of June, 2022 by Dublin City Council to grant subject to conditions a permission to the said Annette O'Shea in accordance with plans and particulars lodged with the said Council:

Proposed Development: Removal of existing side and rear extensions, construction of new single storey extension to rear with rooflight, new two-storey extension to rear and side including conversion of existing side garage, new attic dormer window to rear and new Velux rooflights to front of existing house at 159 Philipsburgh Avenue, Fairview, 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 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 amenity of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

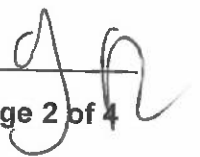
Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by drawings received by An Bord Pleanála on the 8th day of July, 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. 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 and surface water management.



3. Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 and 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 amenities of property in the vicinity.

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. A Construction Method Statement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of any works on site for any works to the party wall with Number 157 Philipsburgh Avenue in order to ensure the structural integrity of the existing boundary walls around the site. This Statement shall also include details relating to the construction of proposed foundations.

Reason: In the interest of visual amenity and to ensure the integrity of existing boundary walls.

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.



Tom Rabbette

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

Dated this 11th day of July 2023