

An  
Bord  
Pleanála

Board Order  
ABP-316085-23

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB2138/22**

**Appeal** by Melina Fenelon of 4 Geraldine Terrace, Milltown, Dublin against the decision made on the 22<sup>nd</sup> day of February, 2023 by Dublin City Council to grant subject to conditions a permission to Rana Al Damin care of Wrkshop Architects of Office 6, 9 Wellington Quay, Temple Bar, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Refurbishment of the existing two-storey house, including a new rooflight to the rear pitch of the roof, demolition of the existing single storey lean-to and the construction of a two-storey extension to the side and front of the existing house and all ancillary works at 3 Geraldine Terrace, Milltown Road, Milltown, 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 pattern and character of existing development in the area, the design and scale of the development proposed, and the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in accordance with the zoning objective for the site, would not detract from the visual amenity of the area, and would not seriously injure the residential amenity of surrounding properties. 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 received by An Bord Pleanála on the 13<sup>th</sup> day of April, 2023, 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 proposed pitched roof element of the two-storey extension to the front and side of the development shall be omitted and replaced with a flat roof design. Prior to the commencement of development, plans, sections and elevations incorporating this revised design, at a scale of not less than 1:100, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of visual amenity.

3. 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.

4. Site development and building works shall be carried out only between the hours of 0700 and 1800 from 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 residential amenities of property in the vicinity.

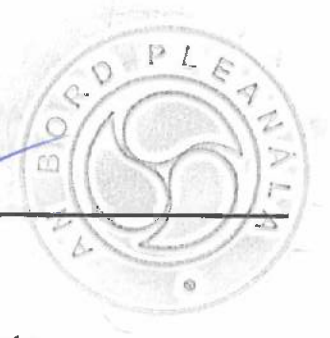
5. All necessary measures shall be taken by the developer to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians, during construction works.

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

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.

  
\_\_\_\_\_  
**Stephen Brophy**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 24<sup>th</sup> day of July 2023.