



An
Bord
Pleanála

Board Order ABP-318079-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23B/0291

Appeal by Mary Murtagh care of Michael Halligan Planning Consultants of Seapoint House, Balbriggan, County Dublin against the decision made on the 29th day of August, 2023 by South Dublin County Council to grant subject to conditions a permission to Ciarán Kirwan and Ann Kilfeather care of MSW and Associates Limited of Unit B19, K.C.R. Estate, Kimmage, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: 1. Construction of a first floor pitched roof extension, (six square metres), to the rear, over the garage. 2. Demolition of existing rear extension and construction of new single storey, timber clad, rear extension and covered passageway, (30 square metres) and associated internal refurbishment works. 3. The widening of the existing vehicular entrance to 3.6 metres. 4. The lowering of the window sill to the front living room window by 0.3 metres. 5. The installation of external wall insulation with a render finish to the front and rear elevations at 34 Grange Park, Rathfarnham, 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 nature and scale of the proposed development, the matters raised in the grounds of appeal, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not adversely impact or detract from the visual and residential amenities of the area and 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, 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 side window on the western elevation of the rear extension shall be omitted.

Reason: In the interest of the protection and safeguarding of the residential amenities of the adjoining property.

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3. The provision of the entrance and the restoration of the public footpath shall be in accordance with the detailed standards of the planning authority for such works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

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 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.

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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 the 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.



Peter Mullan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**

Dated this 18th day of June, 2024