



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4133/23

APPEAL by Conor O'Driscoll and Criona Toner of 24 Fortfield Road, Terenure, Dublin against the decision made on the 5th day of September, 2023 by Dublin City Council to grant permission subject to conditions to Alan and Ciara Leahy care of Joe Fallon Architectural Design of 1A Ryland Street, Bunclody, County Wexford in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will consist of: (a) Demolition of existing annex to the rear; (b) Demolition of existing shed abutting the boundary wall to the rear; (c) Demolition of chimney to the side; (d) Single storey flat roof extension to rear with rooflights; (e) two-storey flat roof extension to the rear and side; (f) External insulation to the existing house; (g) Widening of existing vehicular entrance to 3.5 metres and all associated site works at 26 Fortfield Road, Terenure, 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 of the site Z1 Sustainable Neighbourhoods the objective for which is 'to protect , provide and improve residential amenity', to the planning policies, objectives and development standards of the Dublin City Development Plan 2022-2028, to the nature, scale and design of the proposed development relative to the existing dwelling and adjoining dwellings, and to the existing pattern of development in the wider area, it is considered that, subject to compliance with the conditions set out below, the proposed development is an acceptable form of development at this location and would not seriously injure the amenities of adjoining property. The proposed development 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed extension 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. The driveway entrance shall be at most 3.0 metres in width and shall not have outward opening gates.

Reason: In the interest of traffic safety.

4. 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.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

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 the 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. The application of any indexation required by this condition 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.

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.



Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 1st day of October 2024.