

An  
Bord  
Pleanála

## Board Order ABP-318511-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Dublin City Council

**Planning Register Reference Number:** WEB1537/23

**Appeal** by Michael and Martina O'Connor of 7 Leix Road, Cabra, Dublin against the decision made on the 3<sup>rd</sup> day of November, 2023 by Dublin City Council to grant permission subject to conditions a permission to Valerie Ní Fhaolain and Colm O'Conaill care of Daly and Carroll Architecture of 18 Elm Park Avenue, Ranelagh, Dublin in accordance with plans and particulars lodged with the said Council.

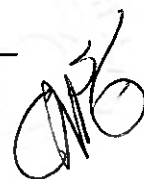
**Proposed Development:** Extension and alterations to existing two-storey end-of-terrace dwelling, including: demolition of existing side garage and rear single storey extension, new two-storey hipped-roof extension to side with partial parapet to boundary walls, new single storey flat roof extension to rear with two rooflights, alterations to existing façade, alterations to front garden area, including relocation of front parking space and vehicular entrance, new boundary fencing and freestanding bin and bicycle enclosure, all at 9 Leix Road, Cabra, 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, scale and extent of the proposed development, the pattern of development in the area, and the policy framework for residential extensions provided by Appendix 18 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 not seriously injure the visual and residential amenities of the area, including properties in the vicinity, would be consistent with the relevant provisions of the Dublin City Development Plan 2022-2028, would not lead to risk of flooding, and would constitute an acceptable form of residential development at this serviced urban location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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## Conditions

1. The proposed 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 the planning authority on the 9<sup>th</sup> day of October 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The new vehicular access shall have a maximum width of three metres, shall not have outward opening gates, and shall be located immediately adjacent to the boundary with 11 Leix Road.

**Reason:** In the interest of orderly development.

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

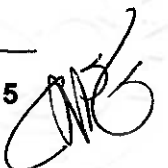
**Reason:** In the interest of public health.

4. Details of the external finishes of 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.

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 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.

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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 the Board 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.

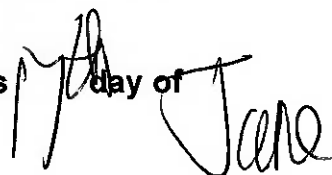


**Chris McGarry**

**Member of An Bord Pleanála**

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

**Dated this**

 day of **June**

**2024.**