



An
Bord
Pleanála

Board Order
ABP-318810-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1341/23

Appeal by Anne O'Rourke and Paul Doolan of 12 Deanstown Green, Finglas, Dublin against the decision made on the 14th day of December, 2023 by Dublin City Council to grant subject to conditions a permission to Eugen Talmacel care of Simon Hogan of 1A Chanel Avenue, Artane, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) Construction of a new two storey extension to the side of existing dwelling with pitched roof and velux rooflight to the rear, (ii) the construction of a new part single storey part two storey extension to the rear of existing dwelling with flat roof and all associated site and landscaping works necessary to facilitate the development, all at 14 Deanstown Green, Finglas, 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:

- (a) the zoning of the site under Objective 'Z1' 'Sustainable Residential Neighbourhoods' with the associated objective 'To provide, protect and improve residential amenities',
- (b) the planning policies and objectives under the Dublin City Development Plan 2022-2028, in particular, guidance on additions and alterations as set out in Appendix 18.
- (c) the nature, scale and design of the proposed development,
- (d) the existing pattern of development in the vicinity, and
- (e) the planning history of the site,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety and convenience 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, as amended by the Further Information received on the 17th day of November 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such work and services.

Reason: In the interests of public health and surface water Management.

3. The attic space hereby approved shall not be used as a habitable room unless it complies with the current building regulations.

Reason: To provide for an adequate standard of development.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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. Works shall be carried out in compliance with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedure for noise control.' Works shall be carried out in a manner to ensure that adjoining street(s) are kept clear of debris, soil and other material and with cleaning carried out at the developer's expense if required.

Reason: To ensure that a satisfactory standard of development and to keep adjoining roadways clean and safe.

6. No flat roof shall be used as a balcony or terrace, unless authorised by a prior grant of planning permission.

Reason: In the interest of residential amenities.

7. 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.



Joe Boland

Member of An Bord Pleanála

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

Dated this *10TH* day of *July* 2024.