



An
Bord
Pleanála

Board Order ABP-318957-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1986/23

Appeal by Chris Smith and Susanne Walsh care of John Shevlin of 114 Ashington Rise, Navan Road, Dublin against the decision made on the 5th day of January, 2024 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Attic conversion with dormer window to rear roof plane of existing house at 74 Kildare Road, Crumlin, 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

The site is zoned with the objective to protect, provide and improve residential amenity, as set out in the Dublin City Development Plan 2022 -2028. The proposed development comprises an attic conversion and dormer window which are marginally above the original roof ridge height of number 74 Kildare Road and the other houses in this terrace. Having regard to the pattern of rear extensions in the area and the relatively minor nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not constitute a visually dominant feature in the streetscape, would not seriously injure the visual or residential amenity of the area, would not materially contravene the zoning objective for the area set out in the current Dublin City Development Plan 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. 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.

3. Within six months of the date of this Order, details of the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of visual amenity.

4. 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.



Joe Boland

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 31ST day of May 2024.