



An
Bord
Pleanála

Board Order ABP-319473-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23B/0374

Appeal by Declan and Catherine Hughes of 33 Nutgrove Park, Clonskeagh, Dublin against the decision made on the 14th day of March, 2024 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Lucy and Colm Smith care of James Mitchell Architect Limited of 15 Carrs Mill, Portrane Road, Donabate, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The demolition of an existing single storey, rear sunroom and garden wall within the site and the construction of a two-storey side extension to the house creating two bedrooms and bathroom at first floor and an extended kitchen, dining space and front sitting room at ground floor with all associated external and site works. All existing boundary treatments, accesses, foul and surface water mains connections shall remain as existing; all at 118 The Maples, Bird Avenue, Farranboley, Dublin as amended by the revised public notice received by the planning authority on the 20th day of February, 2024.

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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 including the objective A zoning for the site it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design and scale, would not detract from the character of the area and would not seriously injure the residential and visual amenities of the area. The proposed development 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 plans and particulars received by the planning authority on the 20th day of February 2024, 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. (a) The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

- (b) The fenestration on the front façade of the proposed extension shall match the existing front fenestration details of the house.

Reason: In the interest of visual amenity.

3. The glazing of the two windows on the side elevation at first floor level serving the ensuite and bathroom shall be finished in opaque or frosted glass.

Reason: In the interest of residential amenity.

4. Water supply and drainage arrangements, including the 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 to ensure a proper standard of development.

5. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 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 amenities of property in the vicinity.

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.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

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

Dated this 09 day of October 2024