

An
Bord
Pleanála

Board Order ABP-319901-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1321/24

Appeal by Helen O'Reilly care of RW Nowlan and Associates of 54 Basement Office, Fitzwilliam Square North, Dublin against the decision made on the 15th day of May, 2024 by Dublin City Council to grant subject to conditions a permission to Gary and Kartin Phelan care of Plantech Building Design & T.D.S. of 721 Northwest Business Park, Ballycoolin, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing single storey lean-to roof rear extension, demolition of existing boundary wall in the middle of back garden, construction of a two-storey rear extension with partial flat and partial lean-to roof to consist of a kitchen/dining area on the ground floor and a bedroom on the first floor, general remodel and upgrade of the existing dwelling at ground and first floors to suit the proposed layouts, including removal of the existing kitchen for the provision of a new home office, utility and WC, all drainage, structural and associated site works to be implemented, all at 22 Saint Aidan's Park Avenue, Marino, 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 Z2 residential zoning objective for the area, the specific characteristics of the site, the pattern of development in the area, including similar type extensions to the rear of dwellings in the vicinity, and the policy and objectives set out in 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 detract from the character of the area, would not seriously injure the residential or visual amenities of the area, and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to issue a split decision to refuse planning permission for the proposed extension and grant planning permission for the demolition of the sunroom and wall in the rear garden, the Board considered that the proposed development was of a similar size and scale to the rear extensions on the dwellings either side of the subject site and that the proposed extension, which is the subject of the current appeal, due to its relatively modest scale, would not seriously injure the visual and residential amenities of the area, including the property to the immediate north, and, therefore, would 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 proposed 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 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 and to ensure an appropriate high standard of development.

3. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 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 agreement has been received from the planning authority.

Reason: To safeguard the amenities of property in the vicinity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

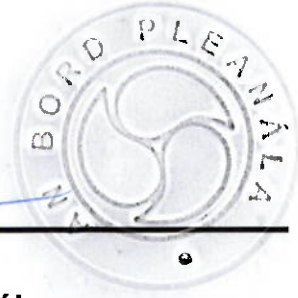
Reason: In the interest of public health.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 22nd day of January 2025.