

An
Bord
Pleanála

Board Order
ABP-320586-24

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD24B/0165W

Appeal by Martin O'Shea of 12 The Rise, Boden Park, Dublin against the decision made on the 22nd day of July, 2024 by South Dublin County Council to grant subject to conditions a permission to Karl Butler of 14 The Rise, Boden Park, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Construction of single storey porch extension to front of existing house, (2) attic conversion incorporating raising of side hip to form new Dutch hip together with dormer windows to rear and rooflights to front and modifications to existing first floor window to front and (3) ancillary site works to facilitate proposed development at 14 The Rise, Boden Park, Rathfarnham, Dublin. The proposed development was revised by further public notices received by the planning authority on the 26th day of June, 2024, including (1) attic conversion incorporating raising of side hip to form new Dutch hip together with dormer windows to rear and rooflights to front and modifications to existing first floor window to front; and (2) retention permission for an existing single storey porch extension to front of existing house including ancillary site works.

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 information submitted with the application and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the zoning objective for the site and the policies with respect of residential extensions as set out in the South Dublin County Development Plan 2022-2028, and would not be injurious to the visual or residential 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 retained, carried out and completed in accordance with the plans and particulars lodged with the application as revised by the further plans and particulars submitted on the 26th day of June 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. All external finishes to the development permitted shall harmonise in colour or texture that is complementary to the house or its context.

Reason: In the interest of visual amenity.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. 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.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Monday to Fridays, between 0800 and 1400 hours on Saturday 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: To safeguard the residential amenities of adjoining property in the vicinity.

6. The proposed gable window on the eastern elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

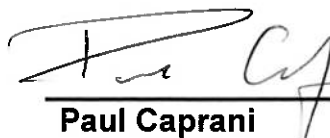
Reason: In the interest of residential amenity.

7. The proposed w/c at attic level shall be omitted from the proposed development.

Reason: In order to comply with Building Regulations.

8. 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.

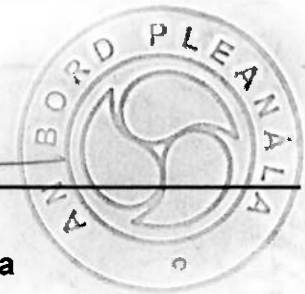
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 28th day of January 2025.