

An
Bord
Pleanála

Board Order
ABP-320891-24

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD24B/0308W

Appeal by Bernard and Joan Molloy care of CKPM of 18 Landscape Avenue, Churchtown, Dublin against the decision made on the 28th day of August, 2024 by South Dublin County Council to grant subject to conditions a permission to Colin Foley and Aoife Duffy care of Gavan Fitzsimons of 15 Marley Avenue, Marley Grange, Rathfarnham, Dublin.

Proposed Development: Construction of an attic conversion with rear dormer windows and single storey side extension above existing ground floor storey. Alterations and extension to existing hipped roof profile and gable elevation with a new gable window. Change of use of playroom at ground floor level to bedroom, all at 344 Orwell Park Close, Templeogue, 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 residential zoning objective for the area, and compliance with the development standards of the South Dublin County Development Plan 2022- 2028, the South Dublin County Council House Extension Design Guide, the specific characteristics of the site and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, 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.

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. The proposed development shall be amended as follows:
- (a) The width of the proposed rear dormer structure shall be reduced by 0.5 metres, to a maximum external width not greater than five metres.
 - (b) The proposed rear dormer shall be located at least 100 millimetres below the ridge line of the roof of the main dwelling, and at least three tile courses above the eaves line of the main dwelling.
 - (c) The glazing to first floor gable window shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Revised drawings to a suitable scale showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

3. 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.

4. 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 and 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 amenity of property in the vicinity.

5. 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.

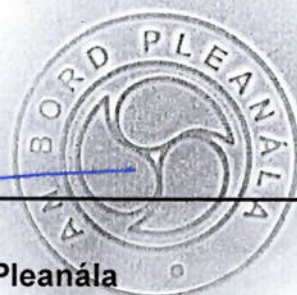
6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 15th day of January 2025.