



An  
Bord  
Pleanála

## Board Order ABP-321588-25

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Dublin City Council

**Planning Register Reference Number:** WEB1933/24

**Appeal** by Brookfield Residents care of Eric Houtsma of 30 Brookfield, Kimmage Road West, Dublin against the decision made on the 3<sup>rd</sup> day of December, 2024 by Dublin City Council to grant permission, subject to conditions, to Paul Flanagan care of Bright Design Architects of 4 Seafeld Park, Booterstown, Blackrock, County Dublin for the proposed development.

**Proposed Development:** Construction of a new, part single part two-storey, three bedroom dwelling including balcony to rear, PV panels to roofslope and rooflight to front roofslope. Alterations to the existing boundary wall to create new and additional vehicular entrance 3.4 metres wide. Alterations to existing vehicular entrance to increase to 3.5 metres wide and all associated ancillary, site and landscaping works at 33 Brookfield, 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 location and character of the site and surrounding area in a serviced urban area together with the provisions of the Dublin City Development Plan 2022-2028 including the Z1 zoning objective for the area as well as the Section 28 Sustainable Residential Development and Compact Settlement Guidelines and Quality Housing for Sustainable Communities Best Practice Guidelines, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development would comply with local design guidance and would not seriously injure the visual or residential amenity 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 5<sup>th</sup> day of November 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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. Prior to the commencement of development the developer shall submit a naming and numbering proposal for the proposed dwelling for the written agreement of the planning authority.

**Reason:** In the interest of clarity.

4. Prior to the commencement of development, the developer shall submit drawings and details demonstrating safe vehicular access and egress to the vehicular entrances to both the existing and proposed dwellings for the written agreement of the planning authority. The drawings shall include demonstration of autotracking and adequate sightlines for a private car. Where safe access cannot be demonstrated to the satisfaction of the planning authority, the vehicular entrance to the new dwelling shall be omitted and proposals submitted for pedestrian access instead.

**Reason:** In the interest of road safety.

5. The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the 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. Prior to the commencement of development the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

7. 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.

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.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 9<sup>th</sup> day of April, 2025