



An
Bord
Pleanála

Inspector's Report 29N.248514

Development	Demolish ground floor extension, construct 2 storey extension to front side and rear, attic dormer to rear, roof lights.
Location	39 Seafield Avenue, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2306/17.
Applicants	Paul & Anne-Margaret Saunders
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellants	Bernadette Dowling & Family
Observer	Tony Donnelly
Date of Site Inspection	8 th August 2017
Inspector	Dolores McCague

1.0 Site Location and Description

- 1.1. The site is located at 39 Seafield Avenue, Clontarf, Dublin 3. Seafield Ave is a road of semi detached two-story, half hipped, brick fronted housing with side garages, and a two storey bay feature to the front. Some of the houses have been extended. The houses have standard front gardens and driveways which allow on-site parking and long rear gardens. The road to the front is also used for parking. This site adjoins what was formerly the end of the garden of a house which faces Mount Prospect Ave. The large garden of that house has been developed by the insertion of a dormer bungalow on Seafield Ave. The rear garden of the house flanking the other side of Seafield Ave has a similar additional dwelling.
- 1.2. The site is occupied by a semi detached dwelling, with a flat roofed side garage and a flat roofed rear extension which is in poor condition. The site has a long rear garden with bounded by hedges of c 2m height to either side. There is a small shed at the end boundary. The front area is largely hard surfaced and used for parking.

2.0 Proposed Development

- 2.1. The proposed development is the demolition of the ground floor extension, construction of a 2 storey extension to front, side and rear of the dwelling with an attic dormer to the rear, a canopy to the new ground floor element to the rear and roof lights.
- 2.2. In addition a new shed to the rear is proposed and widening of the vehicular entrance from 2.8m to 3.6m.
- 2.3. The proposed front extension extends over part of the front elevation, projecting 1.2m forward of the existing hall and garage. The box frame structure has features, such as vertical breaks in the garage and hall doors, and the use of brick, which help it to harmonise with the existing building.
- 2.4. To the rear, a large extension, extending almost 9m from the main house, over half the width of the site, is to be erected along the northern boundary with floor to ceiling glazing along the southern and western elevations and a large roof light/window. The side wall of the extension continues a further 2.5m along the northern boundary and the roof of the extension covers this outdoor area. Although mainly along the

northern boundary, the extended area includes a small area c1m in depth at the southern boundary.

- 2.5. The first floor extension has less depth, extending 5m from the main building. It has one narrow window facing south, indicated as having opaque glazing, and a large west facing window. A panel of selected cladding is indicated in the southern elevation; and the roof area immediately above is a panel or roof light, not detailed. The finished floor levels of the ground and first floor areas are similar to those of the existing building. The proposed parapet level of the first floor extension is 106.625m compared to the main house eaves level of 105.635m. The master bedroom in the first floor rear extension has ceiling heights of 2.565m and 2.875m.
- 2.6. The first floor side extension proposed above the garage has a slight set-back from the front of the main building and also therefore a break in the roof line. Along the side, the extension follows the boundary and the line of the proposed extension below. To the rear of the main house it is set back from the boundary, with three windows to a bathroom, en-suite and dressing room, proposed in this elevation.
- 2.7. It is proposed to build a stairway, with two north facing roof lights/windows, to access the attic area of the main house, indicated as intended for storage, and to insert a large box dormer into the roof, with four window panels.
- 2.8. A shed, 4m x 4m measured internally, is proposed alongside the existing shed at the rear boundary, with double doors, which appear to be glazed, and 2.1m high window panels to either side on the eastern elevation.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission subject to 9 conditions, including condition no. 3

The development shall be revised as follows:

- a) The proposed rear 1st floor extension and proposed 2nd floor dormer shall be visually disaggregated by lowering the parapet and ceiling height of the rear 1st floor element where it sits below the dormer.

- b) The dormer ope shall be fitted with a strong central vertical division bisecting the proposed windows.
- c) The proposed dormer's elevations including any rainwater goods, fascia, and soffits shall be finished in a dark colour in order to blend with the roof finish, and shall not accommodate any solar panels whether or not they would be exempted development.
- d) The 1st floor side extension shall be fitted with at least a vestigial roof overhang.
- e) The external finish of the front and side of the proposed 1st floor extension shall match the existing house in respect of materials and colour, with any rainwater roods, fascia, and soffits shall be finished in a dark colour in order to blend with the roof finish.
- f) The proposed vertical southern 1st floor side ope shall be made a high level window at least 1.8m above finished floor level and be permanently fitted with opaque glazing, and shall be the only 1st floor southern side ope.
- g) The proposed 2nd floor northern side roof plane shall be fitted with a single vertical rooflight, which placed as flush as possible with the roof plane and permanently fitted with opaque glazing.
- h) No flat roofed area shall be used or accessed as a roof garden or patio.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings.

Reason: In the interests of orderly development and visual amenity

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Planning history – 2887/16 - for the partial demolition of the existing dwelling, construction of a part single storey, part 2 storey extension to side and rear, alterations to all elevations, associated site works, withdrawn after FI request for daylight impact test and recommendation that at least the side extension

element be amended that it is designed in a subordinate manner to the main dwelling and semi-paring and that the 1st floor southern side window be made a high level window fitted with opaque glazing.

- CDP 16.10, 16.10.12 and appendix 17.

3.2.2. Other Technical Reports

Engineering Department – Drainage Division, 20/3/2017, conditions.

Roads & Traffic Planning Division Report, 27/3/2017, the current entrance has a width of 2.8m and it is proposed to widen this to 3.6m. It is noted that a number of dwellings on the surrounding road network have existing driveways. While it is not intended to promote car use in the city, there is no objection in principle to the provision of on-site car parking to provide car storage and support family friendly living in the city; recommending conditions.

3.3. **Third Party Observations**

Observations on the file have been read and noted.

4.0 **Planning History**

2887/16 withdrawn following further information request and invitation to amend.

5.0 **Policy Context**

5.1. **Development Plan.**

The Dublin City Development Plan 2016-2022 is the operative plan. Relevant provisions include:

The site is zoned Z1 to protect, provide and improve residential amenities.

Appendix 17

New extensions, whether they are single or two-storey, have an effect on their immediate environment and accordingly the following general principles should be addressed in all proposals for extension.

Proposals should:

- Not have an adverse impact on the scale and character of the dwelling
- Have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.
- Achieve a high quality of design unacceptably

Affect on amenities of neighbouring properties includes privacy, outlook, daylight and sunlight.

Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided. Where essential, the size of such windows should be kept as small as possible and consideration should be given to the use of high-level windows and/or the use of obscure glazing where the window serves a bathroom or landing.

With the emphasis on increased residential densities and the consequent incorporation of a variety of unit types and sizes in schemes, the requirement for 22-metre separation in such cases may no longer be applicable in all instances.

The acceptable reduction of such distances, however, requires a high standard of building design and layout particularly having regard to the height and inter-relationship between buildings, the use and aspect of rooms and relative floor levels. The exact distances applicable in such cases will be determined on a case-by-case basis having regard to the above criteria and other relevant Development Plan standards.

Large single or two-storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. Furthermore, depending on orientation, such extensions can have a serious impact on the amount of sunlight received by adjoining properties. Consideration should be given to the proportion of extensions, height and design of roofs as well as taking account of the position of windows including rooms they serve to adjacent or adjoining dwellings.

Most houses were originally designed and built as completed entities and did not take account of any need to incorporate future extensions. It is therefore necessary when considering the design of an extension to take account of the following criteria:

The extension should not dominate the existing building and should normally be of an overall shape and size to harmonise with the existing house and adjoining buildings; the original appearance should be the reference point for any consideration of change that may be desired.

The materials used should ideally be the same as those used on the existing building; features such as windows and doors on the new extension should relate to those on the original building in terms of proportion.

Extensions to the front, which significantly break the building line, should be resisted. The subordinate approach means that the extension plays more of a 'supporting role' to the original dwelling. In general, the extension should be no larger or higher than the existing addition to appropriate form and scale, the maximum use of matching materials between old and new will greatly assist this integration. Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible. Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

5.2. Natural Heritage Designations

5.3. The South Dublin Bay and River Tolka SPA site code 004024 is the nearest Natura Sites, which is less than a kilometre from the subject site.

6.0 The Appeal

6.1. Grounds of Appeal

6.2. A third party appeal against the decision to grant permission was submitted by Bernadette Dowling & Family. It includes:

- Together with no. 37 it is a partner designed semi-detached set.
- Zoned Z1 to protect, provide and improve residential amenities.
- It is not a corner site.

- Mitigation conditioned re. No. 47 Mount Prospect Ave. is inappropriate as No. 41 Seafield Avenue, has been carved from No. 47 Mount Prospect Ave. condition cannot operate as drafted.
- Question shadow impact drawings. They asked the Council to request verification of location, date, time, compass orientation and GIS co-ordinates which were used to produce the shadow drawing, to no avail.
- The proposal does not respect the existing character of the semi-detached pair and conflicts with Appendix 17 of the CDP.
- S17.10 of the CDP states that the approach should be 'to match the existing building and to fit in with the neighbourhood'.
- Re. Design and Integration, there is no Appendix 25 in the current Development Plan.
- 1st floor window
 - The 1st floor window elements are of major concern. The scaled size of the first floor south elevation window and cladding shown is not consistent with the scaled openings on the 1st floor plan, measurements not shown.

Condition 3(f) was applied:

The proposed vertical southern 1st floor side ope shall be made a high level window at least 1.8m above finished floor level and be permanently fitted with opaque glazing, and shall be the only 1st floor southern side ope...revised plans, drawings and particulars showing the above amendments to be submitted to, and agreed in writing by the planning authority.

- Condition 3(f) is not clear:
 - a) there is vagueness and confusion in relation to the purpose and function of this 'cladding'.
 - b) the cladding could be removed and changed to a window at a later date.
 - c) if what is detailed as cladding has no function why is it there unless it is designed as a wraparound window to face south.

- d) there is no provision for the appellant to observe the amended plans prior to approval.
- 1st floor rear extension ceiling height.
 - Existing eaves level is 5.635m and proposed parapet level is 6.625m. by reducing the 1st floor ceiling height to that of the existing bedrooms would somewhat reduce the oppressive visual mass and bulk of the proposed rear extension.
 - Condition 3(a) seeks to address this; but there is lack of clarity.

The proposed rear 1st floor extension and proposed 2nd floor dormer shall be visually disaggregated by lowering the parapet and ceiling height to the rear 1st floor element where it sits below the dormer.
 - Appellant objects to the 1st floor rear extension.
 - There is no necessity for any new build at 1st floor to be higher than the bedroom floor to ceiling height – 2.565m. They request a condition to that effect.
- 2nd storey level – attic
 - Appellant considers it not to be intended for storage.
 - If it is not for storage, it's use as living space would alleviate any pressing need for an oppressive 2 storey build out at the rear.
 - There is no need for a window of the scale proposed, level with the top of the new extension flat roof and no matching the eaves line.
- Scale of single storey extension / impact on amenity private open space.
 - No consideration of the impact on the residential amenities of appellant's garden re. the proposed south facing core living space running parallel with the primary section of appellant's back garden.
 - The Board considered overlooking gardens to be a primary consideration in relation to No. 41 (PL29N.117329) and applied a significant condition that the orientation be changed.

- If this was replicated all would impact on adjoining access to daylight and enjoyment of back gardens. The floor to ceiling height glazing is unnecessary and would deprive appellant's of the enjoyment of their back garden.
- Design is overbearing and intrusive.
- The shed
 - The amount of glazing suggests that the intended use is not solely for storage. The glazing towards the appellant diminishes their privacy in particular the upstairs bedroom.
 - The request a condition to reduce the excessive amount of glazing, to one un-intrusive window.
- Extension of existing ground floor dining room.
 - It is requested that this is set back from the common boundary to ensure that the integrity of the boundary is maintained.
- CDP 2016-2022 Appendix 17
 - 17.2
 - 17.5
 - 17.7
- They request the Board to overturn the decision to grant.

6.3. Applicant Response

6.4. Hughes Planning and Development Consultants have responded on behalf of the first party to the grounds of appeal, including:

- The side extension is very typical being a two storey extension to the side of a semi-detached dwelling. The rear extension is also typical.
- Re Development would contravene the Development Plan
 - It is in compliance with the Z1 zoning.

- Appendix 17: not have adverse impact on scale and character of the dwelling; no unacceptable effect on the amenities of adjacent buildings in terms of daylight and sunlight; achieve high quality design. Response points out how each element of the guidance is met.
- Privacy - Re south facing orientation of single storey extension - the single storey element will not overlook appellant's property. The 2m high hedge will help mitigate the impact. The first floor southern vertical ope with opaque glazing has been conditioned to be a high-level window. S 16.10.2 of the DCDP states that there should be adequate separation between opposing first floor windows. Traditionally a separation distance of 22m is sought. This property has a c40m rear garden and the proposed second floor window is designed to serve non-habitable storage space.
- Re condition 3(f) being unclear – the condition is cited. It is important to note that the rear first-floor ope has a wrap-around element to the south side but is detailed as being cladding on the elevation.
- Daylight / overshadowing – shadow analysis was supplied. No 37 Seafield Ave. is south of the subject site and will continue to receive sunlight from the east, south and west which will maintain this dwellings access to sunlight. The dwellings to the north have very long gardens which ensures that there will be an imperceptible impact on their access to sunlight. The shadow analysis for 12 pm and 3pm on the 21st March shows that the Dublin City Council recommendation per BRE Site Layout Planning for Sunlight & Daylight (revised 2011) is achieved, i.e. that 'it is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable'. There will be an imperceptible impact on No. 41 Seafield Ave, which has a garage constructed on the boundary with the subject site.

- Re. the concerns raised re. the shed – the shed will not be habitable space and will not cause any overlooking and furthermore it is single storey causing no overshadowing.
- Re. excessive scale – the proposed side extension is subordinate to the existing dwelling; the building line along Seafield Ave is staggered and the extension to the front of No. 39 Seafield Ave will not disrupt the already staggered building line. The appellant appears to regard the front extension as a contemporary structure. Considering the poor condition of the existing dwelling the development will result in a much improved appearance.
- Compliance with plot ratio and site coverage are referenced.
- Precedent – numerous planning histories in the general area are cited and details presented in support of their arguments.

6.5. **Planning Authority Response**

6.6. The planning authority have not responded to the grounds of appeal.

6.7. **Observations**

6.8. An observation from Tony Donnelly includes:

- For many years there have been many modest extensions on the road and there is no objection to these. Unfortunately, in the last few years the extensions have increased in size and style. These are visually intrusive mainly due to being two storey with a wide variety of finishes, roof lines and are visible from the road.
- The houses built had a symmetry and were pleasing to look at. The rear aspect of new extensions are a hodge podge, on a deep east/west axis extending deep into modest back gardens.
- South aspects have the effect of beggar your neighbour to the north of sunlight and daylight.
- Furthermore, there have been large sheds built, fitted out to a very high specification.

- Observer has suffered from such an extension.

6.9. Further Responses

Third Party

- 6.10. The third party has responded to the first party response to the grounds of appeal, re-iterating their concerns which they consider the first party hasn't responded to and responding to all the planning precedents cited by the first party.

Observer

- 6.11. The observer has responded to the first party response to the grounds of appeal. The observer queries why the development at 5 Seafield Ave by the same architect is not used as an example. The observer lives in the adjoining property and now fully understands the effect a development as large as it is can have on adjoining property. The wall increase from 1.8m to 3.8m and the extension extending from the original back wall of the house by c5.8m. His patio area has lost much of its access to sun and is now largely redundant.
- 6.12. He refers to incremental changes in the style of the housing in the area and considers that in time owners will look to change the houses from single to multiple family use.

7.0 Assessment

- 7.1. There issues which arise in relation to this appeal are: appropriate assessment, impact on the residential amenity, impact on the character of the area, and precedent and the following assessment is dealt with under those headings.

7.2. Appropriate Assessment

- 7.2.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually or in combination with other plans or projects, on a European site.

7.3. **Mass and design**

- 7.4. Both the third party and the observer are concerned that the design and scale of the development is inappropriate for this area which has an established character of semi-detached established development.
- 7.5. The County Development Plan requires that the extension is required to be subordinate to the main house. In the side extension this is achieved by the setting back of the building line at first floor, and the break in roof level. In my opinion this part of the development does not impact negatively on the character of the area.
- 7.6. A front extension is proposed projecting forward of the existing building line by 1.2m, extending across part of the front elevation: the hall and garage. Although a box frame structure is proposed, features such as vertical breaks in the garage and hall doors and the use of brick, help to harmonise with the existing building. In my opinion this part of the development does not impact negatively on the character of the area.
- 7.7. Most of the remainder of the extension is not visible from the road and is considered under the heading residential amenity.

7.8. **Residential Amenity**

- 7.9. The third party lives in the adjoining dwelling and is concerned about the scale and design of the rear portion of the development. Concerns previously raised regarding overshadowing and questions regarding the shadow impact drawings have not, they consider, been adequately addressed.
- 7.10. Overshadowing
- 7.11. The shadow impact drawings are referred to in the appeal response, which states that the shadow analysis for 12 pm and 3pm on the 21st March shows that the recommendation per the BRE document: Site Layout Planning for Sunlight & Daylight (revised 2011) is achieved; that at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March, or if as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its

former value, then the loss of sunlight is likely to be noticeable. The response states that there will be an imperceptible impact on No. 41 Seafield Ave, which has a garage constructed on the boundary with the subject site. It points out that No. 37 Seafield Ave. is south of the subject site and will maintain its access to sunlight; and further that the other dwellings to the north have very long gardens which ensures that there will be an imperceptible impact on their access to sunlight.

- 7.12. I am satisfied that being due south, the third party's dwelling and garden will be largely unaffected by the proposed development, in terms of sunlight. I am satisfied that the BRE guideline threshold of impact will not arise in relation to the properties to the north.
- 7.13. The observer comments on the scale and nature of the development and considers that such large extensions beggar their neighbours to the north of sunlight. It is again worth noting that unlike the development cited by the observer, which is south of the observer's dwelling, the proposed development is north of the third party's house.
- 7.14. Scale and Design
- 7.15. The third party has concerns regarding the scale of the proposed development and refers in particular to the single storey element and its orientation facing towards their site, with a significant amount of glazing facing that direction.
- 7.16. The subject site is large and the dwellings on all these large sites are capable of being extended. Taste has changed in relation to house size and access to sunlight since these dwellings were built and it is reasonable that householders should be allowed to extend, subject to safeguards for adjoining property, e.g. as set out in the CDP. Orienting the extension with windows at ground level facing south to avail of sunlight seems to represent a reasonable design approach. Ground floor windows facing the side boundaries should not give rise to undue overlooking, since mitigation, either by existing hedging (in this case) or by some other screening method, is achievable.
- 7.17. The third party is concerned that the rear extension will be an oppressive visual mass. They request that the bedroom floor to ceiling height of the first floor bedroom be reduced to 2.565m. They request a condition to that effect.

- 7.18. Part of the bedroom area as proposed has a ceiling height of 2.565m and the remainder is 2.875m. I consider that a ceiling height of 2.565m is adequate and the reduction would achieve a benefit in terms of the impact of the bulk of the building.
- 7.19. Privacy
- 7.20. The third party has concerns regarding impact of overlooking on the privacy of their house and garden. The window and panel at first floor level, facing the third party site has been raised as a concern. The third party is concerned that the panel may be altered to glazing at some future time. The third party is concerned that the dormer extension may not be intended for storage and considers that the scale of the glazing is unnecessary. In relation to the proposed shed the third party is concerned about the glazing towards their house and they request a condition to reduce the excessive amount of glazing, to one un-intrusive window.
- 7.21. In my opinion it is necessary to control by condition the form of treatment of the proposed panel since no details are provided.
- 7.22. I also consider that any glazing facing towards side boundaries should be permanently fitted with opaque glazing and should be fixed rather than openable to above eye level.
- 7.23. I also consider that the dormer windows to the attic storage area, which would provide occupants with a greater vantage point over adjoining rear gardens, would alter the nature of overlooking in an area of two storey residential properties such that the dormer windows should be permanently fitted with opaque glazing.
- 7.24. In relation to the glazing of the proposed shed, there appears to be a considerable amount of glazing proposed but on one elevation only, that facing towards the back of the house. The third party's concern is that it diminishes their privacy, in particular the upstairs bedroom. The proposed shed is in excess of 33½m from the proposed extension and considerably further from the third party's dwelling. The distance often used as a standard for protecting privacy, from overlooking from opposing first floor windows, is 22m. This is not a first floor window and not a dwelling window and the distance is considerably greater than the recommended standard, therefore I do not consider that the omission of the glazing or its reduction is warranted.

7.25. Proximity

7.26. The third party has concerns regarding the proximity of the southern end of the proposed extension to the property boundary. They request that this is set back from the common boundary to ensure that the integrity of the boundary is maintained.

7.27. The area of extension involved is small and it appears that it has no impact except as regards the concern of the third party that the integrity of the boundary is maintained. The protection of property rights is a legal matter, not falling to be determined under planning consent procedures, and planning permission does not confer any right to carry out development which affects property rights¹. In my opinion there is no planning reason to require the setting back from the common boundary of the proposed extension.

7.28. **Precedent**

7.29. Precedent is cited by the third party, observer and the first party. I have not considered the examples cited in support of each side of the argument in detail, since the merits of this case are likely to be different to those cited.

8.0 **Recommendation**

8.1. In the light of the above assessment I recommend that planning permission be granted in accordance with the following conditions for the following reasons and considerations.

9.0 **REASONS AND CONSIDERATIONS**

Having regard to the zoning of the area and the safeguards as set out in the Dublin City Development Plan 2016-2022 for the protection of the residential amenities of existing dwellings, it is considered that subject to the attached conditions the proposed extension would provide improve residential accommodation, would not unduly impact on the residential amenities of adjoining property or the visual

¹ Section 34 (13) of the Planning and Development Acts. 'A person shall not be entitled solely by reason of a permission under this section to carry out any development.'

amenities of the area and would accordingly be in accordance with the proper planning and sustainable development of the area.

10.0 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 development shall be revised as follows:
 - a) The dormer windows shall be permanently fitted with opaque glazing, and shall be only capable of being opened above at least 1.8m over the finished floor level.
 - b) The proposed 1st floor side windows, one facing south and three facing north, shall be permanently fitted with opaque glazing and shall be only capable of being opened above at least 1.8m over the finished floor level.
 - c) The proposed 2nd floor northern side roof windows shall be permanently fitted with opaque glazing.
 - d) Details of the proposed panel in the southern elevation of the master bedroom which shall not be glazed or capable of being opened, shall be submitted for the agreement of the planning authority
 - e) The ceiling height of the master bedroom shall be no higher than 2.565m.

- f) The proposed dormer's elevations including any rainwater goods, fascia, and soffits shall be finished in a dark colour in order to blend with the roof finish.
- g) The external finish of the front and side (as viewed from the road) of the proposed 1st floor extension shall match the existing house in respect of materials and colour, and any rainwater roods, fascia, and soffits shall be finished in a dark colour in order to blend with the roof finish.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the extension.

Reason: In the interests of residential and visual amenity.

- 3. No flat roofed area shall be used or accessed as a roof garden or patio

Reason: In the interests of visual amenity.

- 4. The shed shall be used solely for purposes incidental to the enjoyment of the dwelling as such.

Reason: In the interests of residential amenity.

- 5. The driveway entrance shall not have outward opening gates. The footpath and kerb shall be dished and the widened entrance shall be provided to the requirements of the Roads Maintenance Department. All costs incurred by Dublin City Council, including any necessary repairs to the public road and services as a result of the development shall be borne by the developer.

Reason: In the interests of safety.

6. Water supply and drainage arrangements, including the attenuation and 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.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. The developer shall pay to the planning authority a financial contribution of €4,147 (four thousand one hundred and forty-seven euro) 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. The contribution shall be paid prior to the 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such

agreement, the matter shall be referred to the Board to determine.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Planning Inspector

5th September 2017

Appendices

- 1 Photographs
- 2 Extracts from the Dublin City Development Plan 2016-2022