



An  
Bord  
Pleanála

## Inspector's Report

### ABP-307718-20

<b>Development</b>	Construction of two-storey extension to the side and rear of the existing house.
<b>Location</b>	28, Seafort Gardens, Sandymount, Dublin 4
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	WEB1175/20
<b>Applicant(s)</b>	Ignacio Moran & Martha Gomez.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant with condition
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Catriona & Tony Dorman & Others Thomas & Ann Murray Porscha Fermanis & Robert Gerwarth
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	20 <sup>th</sup> of October 2020.
<b>Inspector</b>	Adrian Ormsby

## 1.0 Site Location and Description

- 1.1. The appeal site is c. 3km to the south east of Dublin City centre at No. 28 Seafort Gardens, Dublin 4. The site is the curtilage of a 90 sq.m house. It has a stated area of 370.4 sq.m.
- 1.2. The site is on the south east side of Seafort Gardens which is a narrow cul de sac road c. 80m north east of Sandyford Road. This cul de sac road serves an established residential road of similar style dwellings.
- 1.3. The residential area and cul de sac is generally characterised with two-storey semi-detached houses with Dutch hipped style roofs and a recessed area setback to provide the entrance doorways. This house No. 28, adjoins the house to the north east No. 29. The house is accessed by a pedestrian gate along the boundary with No. 29 and there is a low level boundary capped wall dividing these dwellings. The front door of both these houses are located in the setback area and face directly opposite each other over the low level wall.
- 1.4. The site is also accessed by a driveway located between the subject house and the neighbouring property known as No. 27. There is a c. 2m high mature hedgerow boundary between these houses. There is a wooden fence c. 2m high with gate feature enclosing the rear garden area. The house also has a single storey flat roof annex to the rear.
- 1.5. The house is finished in plaster render and a slated roof. The site is bounded to the public road and path by a low level wall finished in keeping with the house.

## 2.0 Proposed Development

- 2.1. The proposed development comprises of-
  - A two storey extension (145.18 sq.m) to the side and rear of the existing house (c. 90 sq.m) giving a proposed total floor area of 223.56 sq.m.
  - Demolition of existing rear extension (11.4 sq.m)
  - Widening of an existing vehicular gateway (from 2.55m to 3.35m)

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority decided to grant permission on the 03/07/20, subject to eight conditions of a standard nature and the following-

C.3- The development shall be revised as follows:

- a) The proposed 2.4m wall adjacent to the front entrance shall be permanently omitted and a revised boundary treatment shall be submitted for agreement.
- b) The scale of the proposal to the rear shall be reduced at ground and first floor levels.

At ground floor level the snug in the northern corner shall be omitted which would result in a reduction of approximately 2m in the depth of the structure adjacent to No. 29.

At first floor level the depth of the extension should be reduced by approximately 1m in order to align with the rear wall of the first floor of the adjoining property to the south, No. 27.

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

## 4.0 Planning Authority Reports

### 4.1. Planning Reports

The report of the Planning Officer (03<sup>rd</sup> July 2020) reflects the decision of the Planning Authority. The following is noted from the report:

- The 2.4m wall to the front of the property is considered to be of an excessive height and would alter the original character of the cul de sac and would be

visually intrusive and overbearing when viewed from neighbouring property to the south.

- The revised entrance width is in accordance with Development Plan guidance on vehicular entrances.
- There is no evidence in the drawings of a terrace at first floor to the rear
- Most the houses in the cul de sac have been extended, many with two storey extensions and interventions to the side. The principle of such an extension is acceptable.
- A shadow study was submitted and there are concerns of overshadowing of living area to the north.
- A condition is recommended to reduce the scale of the proposal which would reduce the impact of the development on the amenity of adjoining properties.

#### 4.2. **Other Technical Reports**

- Drainage Division- No objection subject to condition

#### 4.3. **Prescribed Bodies**

- None

#### 4.4. **Third Party Observations**

Eleven submissions were received. One submission was received in support of the proposed development. The main planning issues raised can be summarised as follows-

- The excessive size and scale of the extension and gossip wall is out of character with the area and is not in keeping with the rear building line
- Negative impacts on Residential Amenity- overlooking, overbearing, overshadowing, privacy, security and loss of sunlight
- Traffic Issues, Car parking and safety
- Drainage Issues

- Other matters- Quality of the plans and the accuracy of information of same, Lack of consultation, the house should be used for single occupancy and no commercial activity, Bin Storage and waste management during the development, proposed working hours.

Three third party appeals have been received and these matters are addressed further in the Grounds of Appeal Section 7.1 below.

## 5.0 Planning History

5.1. There does not appear to be any planning history pertaining to the appeal site.

5.2. The following history is noted on the adjoining site-

- 6214/06- two storey (with part single story) extension to side and rear, widening of the existing vehicular entrance at 27, Seafort Gardens, 22-Feb-07, Grant of Permission.

5.3. The following history for similar type developments are noted on nearby sites-

- 2167/20- two storey extension to the side, a single storey extension to the rear at 22, Seafort Gardens, 14-Jul-20 Grant of Permission.
- WEB1636/17- first floor/attic dormer roof extension to side, at 31 Seafort Gardens, 05/04/18, Grant of Permission.
- WEB1139/17- single and two storey extensions to the side and rear at 38 Seafort Gardens, 28/07/17, Grant of Permission.
- WEB1013/15- two-storey extension to the side and rear at 39 Seafort Gardens, 27/04/15, Grant of Permission.
- 2482/17- Retention permission for single storey extension to rear and side of existing dwelling at 17, Seafort Gardens, 16/06/17, Grant of Permission

## 6.0 Policy Context

### 6.1. Dublin City Development Plan 2016-2022

- 6.1.1. The appeal site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022, with a stated objective *'to protect, provide and improve residential amenities'*.
- 6.1.2. Relevant planning policies and objectives for residential development are set out under Section 5 (Quality Housing) and Section 16 (Development Standards) within Volume 1 of the Development Plan. Appendix 17 of Volume 2 of the Development Plan provides guidance specifically relating to residential extensions.
- 6.1.3. The following Sections are of particular relevance:
- Section 16.2.2.3 Alterations and Extensions:  
*'Dublin City Council will seek to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context and the amenity of adjoining occupiers.'*
  - Section 16.10.12 Extensions and Alterations to Dwellings:  
*'Applications for planning permission to extend dwellings will only be granted where the planning authority is satisfied that the proposal will:*
    - *Not have an adverse impact on the scale and character of the dwelling;*
    - *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.'*
  - Appendix 17 Guidance for Residential Extensions
  - Section 17.3 Residential Amenity Issues
  - Section 17.4 Privacy
  - Section 17.5 Relationship Between Dwellings and Extensions
  - Section 17.6 Daylight and Sunlight
  - Section 17.7 Appearance
  - Section 17.8 Subordinate Approach

- Section 17.10 Contemporary Extensions

## 6.2. Natural Heritage Designations

- 6.2.1. The site is located c. 280m west of the South Dublin Bay SAC (000210) and the South Dublin Bay and River Tolka Estuary SPA (004024).
- 6.2.2. The site is located c. 230m west of the South Dublin Bay pNHA.

## 6.3. EIA Screening

- 6.3.1. Having regard to the limited nature and scale of the proposed development it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

Three third party appeals have been received from-

1. A number of parties-
  - a. Catriona & Tony Dorman of No.30, Seafort Gardens
  - b. Helen Doherty & Anne Fuchs of No. 31, Seafort Gardens
  - c. Shaun & Niamh Hayden of No. 32, Seafort Gardens
  - d. Grahame & Melissa Toomey of No. 34, Seafort Gardens
  - e. John & Maureen McDonnell of No. 26 Seafort Gardens
2. Thomas & Ann Murray of 29 Seafort Gardens (Directly adjoining neighbour to north east)
3. Porscha Fermanis & Robert Gerwarth of 27 Seafort Gardens (Neighbouring property to south west).

The grounds of the three appeals can generally be summarised as follows-

- The proposal and its design is out of character with the area, is not subordinate to the existing house, does not harmonise or respect adjoining houses and would detract from the streetscape. It also does not respect the historical value of the houses.
- The proposal is excessive in height, scale, bulk, mass and size (almost tripling the floor area) and would lead to overdevelopment
- The proposals would injure and impact negatively on existing Residential Amenity i.e. overlooking (including possible roof terrace), overbearing, intrusion, overshadowing, views of gardens and as a result would devalue property in the area.
- The proposal would be contrary to the Dublin City Development Plan 2016-2022 and in particular in 'Material Contravention' of Section 16.10.12 of the Development Plan and Appendix 17.
- Condition 3 of the grant or permission by DCC is ambiguous, confusing and open to misinterpretation and doesn't go far enough to obviate the impact of the development on the amenity of the adjoining properties.
- Concerns raised over the legal permissibility of condition 3 (b) and point of detail to be agreed under Section 34 (5) of the P&D Act 2000 as amended). No statutory access to see drawings submitted in response to condition 3.
- The proposal would devalue property in the area
- Concerns over the validity and completeness of the application i.e. the development description, the stated Eircode, reference to Beach Drive on Urban Place Map and Shadow Drawings are for March and June only and do not show the full impact.
- Concerns raised over the applicants conduct, lack of consultation with neighbours and possible unauthorised development following grant by DCC and subdivision of house.
- One appeal submits a copy of a submission made by Councillor Dermot Lacey on an invalid application i.e. not this application.



## 7.2. Applicant Response

The applicants response to the grounds of appeal can be summarised as follows-

- The proposed development is comparable in scale and mass with neighbouring properties.
- Revised drawings submitted showing the proposal modified taking into account DCC's decision.
- The applicants were not satisfied with Condition 3 but decided not to appeal it. They now wish to take the opportunity to pursue some of their original intentions. Revised proposals are submitted setting back the first floor by 1m as per condition 3. They request the Board to give further consideration to revised proposals for the wall to the front of the house and the snug element to the rear at ground floor.
- In relation to scale, mass and bulk, DCC have permitted many large developments and the three appellants have also developed large extensions to their properties. A "corrected OS Map" has been prepared to demonstrate the proposal is in scale and proportion to other developments in the area.
- Each development in this area has had similar impacts on their respective neighbours with regard to privacy, visual impact, bulk and mass, overshadowing, sunlight, character of neighbourhood etc.
- Both houses either side of the application site have been extended and the application proposes No. 28 "catches up". No's. 27 and 29 have had significantly larger impacts on the enjoyment of No.28 than what the proposed development will have on No's 27 and 29.
- The revised proposal now submitted reduces the size of the development to 215.56 sq.m
- Almost all of the other properties on the street have affected their original character by altering their original front elevation fenestration and extending their properties.

- The proposal is setback from the original front elevation, the roof profile and shape is maintained, the original front door is retained with minor changes to fenestration.
- The proposal is stepped in plan to match the existing extended houses on either side. These extensions have imposed heavily on the existing house.
- The submitted shadow studies show the impact from March, September and June and confirm the extremely limited impact from the proposal on neighbours.
- Condition 3 is clear, and the applicant would have readily agreed it with DCC. The applicants will avail of the opportunity to set out what they want to achieve.
- In relation to condition 3 (a) the applicants detail the proposed 'gossip wall' was in order to achieve privacy from the now opposing front doors and to provide a utility wall to house both Gas and Electrical cabinets. They request the Board to reconsider the original proposal. If this is not acceptable revised proposals aligned with the existing hedge of approx. 1.8m have been submitted for consideration.
- In relation to condition 3 (b)-
  - the applicants request the Board reconsider the 'Snug' element. This is a ground level single storey bay only and is not materially significant to No 29. Reference is made to updated shadow studies demonstrating the impact of the development.
  - the applicants are prepared to reduce the depth of the extension by approx. 1m in line with the footprint of No. 27 and have submitted revised drawings.
- A photographic record of houses in this area and their extensions is included.

### 7.3. Planning Authority Response

- None received.

#### 7.4. Observations

- None

#### 7.5. Further Responses

Further responses were received from-

- Thomas & Ann Murray of 29 Seafort Gardens (Directly adjoining neighbour to north east)
- Porscha Fermanis & Robert Gerwarth of 27 Seafort Gardens (Neighbouring property to south west).

These responses can be summarised as follows-

- The residents of No. 27 & 29 are most impacted by the proposed development. The scale bulk and mass is excessive and compromises the character of Seafort Gardens.
- The Board is requested to consider the impact of extra car parking pressures on a narrow cul de sac and to provide for two off street spaces.
- Concerns raised in relation to the revised shadow projections including the absence of drawings for around 6.00 pm.
- Concerns remain in relation to the depth and height of the ground floor extension and need for parapet wall. The snug and its roof should be omitted. The potential use of the flat roof should be addressed by condition.
- The applicants response does not engage at all with the relevant Development Plan Standards. The appellants reiterate and rely on their appeal submission in this regard.
- The applicants response that the development is 'catching up' is a generalised assertion and is not based on measurements or facts. The revised map prepared by the applicants demonstrates the proposals excessive bulk and scale vis a vis other properties in the street.

- The wording of condition 3 (b) specifically requires the reduction in the first floor extension to align with the rear wall of the extension at No 27. This logic should also apply to the ground floor extension.
- The proposed development will be the largest house in the Seafort Gardens area. It is the rear ground floor extension projecting down the garden and 3.2m in height that will lead to overbearing and impacts on sunlight and privacy.
- The impact of past extensions on No. 28 are irrelevant to the present case. The rear extension to No. 27 is not obtrusive and does not diminish the outlook, openness and visual amenities of neighbours gardens. The side extension does not extend all the way to the side boundary. The extension to No. 29 is even more modest.
- The existing hedgerow between No 27 and 28 was planted to provide greenery to the street. If the hedge is to be removed and replaced with a wall it should be no higher than 1.1-1.2m. Gas and electrical meters can be placed elsewhere.
- The appellant repeat and rely on their appeal submission in regard to the snug and condition 3 (a). The size of the ground floor extension should be reduced to conform with No. 27.

## 8.0 Assessment

### 8.1. Main Issues

8.1.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal. I have inspected the site and have had regard to relevant local/regional/national policies and guidance. I consider that the main issues for this appeal are as follows-

- Zoning
- Condition 3 (a) & (b)
- Impact on the Character of the Area

- Impact on Residential Amenity
- Devaluation of Property in the area
- Access and car parking
- Other Matters
- Appropriate Assessment

## 8.2. Zoning

- 8.2.1. The site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022, with a stated objective 'to protect, provide and improve residential amenities'. The proposed extension is an acceptable use in this zoning.

## 8.3. The conditions of the Planning Authority's decision

- 8.3.1. Condition no. 3 of the Planning Authority's decision required the omission of the 2.4m wall adjacent to the front entrance and the snug in the northern corner of the rear extension. It also required amendments to the depth of the first floor rear extension. The applicants' response to the third party appeals took issue with these omissions and amendments. However, the applicants did not avail of their entitlement to appeal the condition. It would be unreasonable to restore the elements of the proposed development that were omitted and amended by the condition on the basis of a response to appeals by third parties where the grounds of those appeals objected to the development as a whole. Therefore, the assessment in this report addresses the proposed development to which the decision of the planning authority refers, i.e. without the elements of the original proposal that were omitted and amended by condition 3. However, there is some ambiguity in the wording of that condition, as set out in the planning authority's decision, which the assessment and recommendation below seek to clarify.

## 8.4. Impact on the Character of the Area

- 8.4.1. The appellants have raised significant concerns over the impact of the development on the character on the area siting matters such as the design, bulk, massing and

scale of the proposed extension and the overall impact on the streetscape and cul de sac.

- 8.4.2. The Planning Authority have raised no major concerns about the impact of the proposed extension on the character of the area and on the streetscape. They have however considered the 2.4m wall to the front of the property to be excessive in height and would alter the original character of the cul de sac. As such they have omitted this wall in condition 3(a) and requested a revised treatment to be submitted for agreement. As noted in section 8.3.1 the applicants have not appealed Condition 3 (a). I share the Planning Authority's view in this regard and as such this proposed wall should be omitted by condition with revised treatment to be agreed.
- 8.4.3. It is accepted the original houses along this cul de sac have an unique character by way of their design and large site plots. It is also accepted that these houses have generally all benefitted from large extensions and redevelopment works that have changed the original character from small modest houses. This cul de sac also does not benefit from any conservation status in the Dublin City Development Plan.
- 8.4.4. The application proposes a two storey extension to the side and rear of the existing house. The two storey element to the side will be set back in excess of 3.5m from the front elevation of the existing house. The height of the side extension is shown as 5.959m with the main ridge shown at 7.055m. Some of the existing windows on the front elevation are to be increased in size and are in keeping with the adjoining house No. 29. The extension is to be finished with painted render to match existing and a standing seam roof. This roof style is a more contemporary style finish and it is noted that a number of existing houses in this area have added contemporary style finishes to their developments e.g. No's 31 & 38.
- 8.4.5. The original proposal included a 2.4m high and 3.66m long 'gossip wall' located from the proposed side extension to the existing front building line of the house. I share the Planning Authority's view that this would be excessive and out of character with the area. The applicants revised proposal is significantly altered in height and length. The existing hedge is to be retained from the revised wall to the front of the site. The revised wall appears to be lower than the existing hedge and as such I consider the revised height and length of the wall at this location is acceptable in this context.

8.4.6. In my view, the development as proposed, setback from the original house with a lower ridge level and including the revisions to the 'gossip wall', suitably ensures the existing structure and its original character is retained. Although a large extension, the proposal is subordinate in scale and design where it's large site can clearly accommodate a larger extension than the original house. In addition, the proposed contemporary roof finish will make a positive contribution to the streetscape and the character of the cul de sac. Overall, I am satisfied the proposal respects the streetscape and cul de sac as whole and is in accordance with section 16.2.2.3 and Appendix 17 of the Development Plan.

### 8.5. Impact on Residential Amenity

8.5.1. The appellants have raised significant concerns over the impact of the development on existing Residential Amenity citing overbearing, overshadowing, visual intrusion, impacts on views of gardens and as a result would devalue property in the area.

8.5.2. The Planning Authority has raised concerns regarding the scale of the development on the amenity of the property to the North No. 29 and addressed this by imposing condition 3 (b) removing the snug area, reducing the depth by approx. 2m and setting back the rear of the first floor extension by approx. 1m to align with the rear first floor of No. 27.

8.5.3. The proposed rear extension is undoubtedly large. However, the site is also large and can clearly accommodate a sizeable extension. In terms of bulk, massing and scale the neighbouring houses No. 27 and 29 will be most impacted by the development. Both of these houses have also developed large rear extensions.

8.5.4. The applicants have not appealed Condition 3 (b). As per this condition the ground floor extension will extend c. 3.1m from the existing single storey return (to be demolished) along the north eastern boundary and c. 7.6 m from the main existing rear elevation. This extension is also proposed and setback to the side of the house and directly along the south western boundary. The height of this part of the development will be 3.218m across the full width of the site to its neighbouring boundaries. In my opinion the ground floor element of the extension as amended by condition, will not have any negative impacts on residential amenity in term of overbearing, overshadowing or visual impact nor will it impact to an undue degree on

views or aspects of rear gardens to an extent that would warrant further amendments. It is recommended that the condition in relation to the snug area be reworded to remove any ambiguity over its requirement.

- 8.5.5. The appellants have raised concerns over the use of the flat roof of the ground floor extension as a terrace/balcony/roof garden. The Planning Authority have stated there is no evidence in the application to suggest this. The drawings show a large window to bedroom 5 and the concerns of the appellant's can be understood. Notwithstanding this, planning permission would be required to use this area for such purposes and the applicants have not applied for this. However, it is reasonable to apply a condition to safeguard against such a use.
- 8.5.6. Having assessed the original drawings I note the Planning Authority's concerns in relation to the scale of the first floor rear extension which appears to extend 6.9m from the rear of the original house and their requirement for the proposed first floor to align with the existing first floor of the property to the south No. 27. The height of the extension at the rear along its south western boundary will be 5.431m. I am satisfied the first floor extension as per the Planning Authority's requirement will not have any negative impacts on residential amenity in term of overbearing, visual impact nor will it impact to an undue degree on views or aspects of rear gardens to an extent that would warrant its omission or further reduction. It is however recommended that the condition in relation to the first floor extension be reworded to remove any ambiguity over its requirement.
- 8.5.7. Having considered the orientation of the site and neighbouring properties, the height of the proposed extension to rear, the shadow survey and layout of the development as submitted in the response to the appeal, I am satisfied the proposed development will not lead to undue overshadowing.

## 8.6. **Devaluation of Property in the area**

- 8.6.1. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property. However, having regard to the matters addressed above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.



## 8.7. Access and car parking

- 8.7.1. The Planning Authority have permitted the widening of an existing vehicular gateway from 2.55m to 3.35m and the proposed car parking arrangements.
- 8.7.2. An appellant has raised concerns about the increased pressure on car parking in the area resulting from the proposed development.
- 8.7.3. The proposed widening of the entrance to 3.35m is reasonable and accords with the Planning Authority requirements in terms of vehicular entrances. While the drawings only show one car parking space within the site it is noted that it is likely two cars could park to the front of the house. There is also public on street parking available in the area and as such I have no concerns in relation to access and car parking from the proposed development.

## 8.8. Other Matters

- 8.8.1. Concerns have been raised over matters including multiple residential use of the house, working hours of operation and waste management associated with the development. These matters can be addressed by way of conditions should permission be granted.
- 8.8.2. Concerns have been raised of alleged unauthorised development following the initial grant of planning permission by the Planning Authority. No obvious unauthorised development was observed during the site inspection. Notwithstanding this the matter of enforcement falls under the jurisdiction of the Planning Authority.
- 8.8.3. Concerns have been raised in the appeal over the validity and completeness of the application i.e. the development description, the stated Eircode, reference to Beach Drive on Urban Place Map. Concerns have also been raised over the applicants conduct and lack of consultation with neighbours. The application has been advertised publicly and validated by the Planning Authority. I have no concerns in relation to these issues.
- 8.8.4. Concerns have been raised in relation to the legal permissibility of condition 3 (b) and point of detail to be agreed under Section 34 (5) of the P&D Act 2000 as amended) and the lack of access of third parties to see these drawings. It is

considered that condition 3 is standard in nature and I have no concerns in this regard.

## **8.9. Appropriate Assessment**

- 8.9.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, 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.

## **9.0 Recommendation**

- 9.1. I recommend a grant of permission subject to the following conditions.

## **10.0 Reasons and Considerations**

Having regard to the design and scale of the proposed development, it is considered that the proposal, subject to compliance with the conditions set out below, would not seriously injure the visual and residential amenities of properties in the area and would be in keeping with the character of the area. The proposed development would, therefore, be in accordance with the zoning objective of the Dublin City Council Development Plan and the proper planning and sustainable development of the area.

## **11.0 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 proposed development shall be amended as follows:
  - a. The proposed 2.4m wall adjacent to the front entrance shall be permanently omitted and a revised boundary treatment shall be submitted for agreement.
  - b. The scale of the proposed extension to the rear shall be reduced at ground and first floor levels as follows-
    - i. At ground floor level the 'snug area' and its roof shall be omitted in its entirety and the development shall align with the remainder of the ground floor extension.
    - ii. At first floor level the depth of the extension should be reduced in order to align with the rear wall of the first floor of the adjoining property to the south, No. 27.

Revised drawings 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 extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. No part of the roof of the ground floor or first floor extension shall be used as a balcony / terrace/ roof garden.

Reason: In the interest of residential and visual amenity.

5. The existing dwelling and proposed extensions shall be jointly occupied as a single residential unit and the extensions 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.

6. Water supply and drainage arrangements, including the 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. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays 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: In order to safeguard the residential amenities of property in the vicinity.

8. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

9. 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.

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Adrian Ormsby  
Planning Inspector

05<sup>th</sup> November 2020