



An  
Bord  
Pleanála

## Inspector's Report ABP-309108-21.

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### Development

Demolish existing lean-to single storey breakfast/dining area to the existing kitchen at the rear return of the house, and the demolition of the two existing stone and slate lean-to back garden sheds and the construction of new breakfast/dining area and a new study including an en-suite bathroom.

### Location

8, Brighton Square, Rathgar, Dublin 6.

### Planning Authority

Dublin City Council South.

### Planning Authority Reg. Ref.

3565/20.

### Applicant(s)

Greg Devlin

### Type of Application

Permission.

### Planning Authority Decision

Grant with Conditions.

### Type of Appeal

First & Third Party

### Appellant(s)

First Party: Greg Devlin

Third Party: John Doyle & Anne Ryder

### Observer(s)

None.

### Date of Site Inspection

18/02/2021.

### Inspector

A. Considine.

## **1.0 Site Location and Description**

- 1.1. The subject site is located to the east of Brighton Square, approximately 150m to the east of Harolds Cross Road, approximately mid-way between Harolds Cross and Rathfarnham, in the southern area of Dublin City. Brighton Square comprises a terrace of 20 houses which all front onto the green area to the west and include long rear, east facing gardens. Access to the rear gardens is provided via a rear lane which is accessed from Garville Avenue Upper and runs in a north – south direction.
- 1.2. The houses on Brighton Square comprise primarily two storey houses, with a variety of roof styles and finishes. The houses include small front gardens with pedestrian access only and on-street car parking is provided on both sides of the public road.
- 1.3. The site has a stated area of 393.6m<sup>2</sup> and comprises a mid-terrace two storey house with a rendered, unpainted finish and a red brick boundary wall to the footpath. The adjacent house to the south has a red brick finish while the house to the north has the same finish as the subject site. The existing house retains its original character including sash windows and four panelled front door with fanlight over. The wider area retains a residential character worthy of the Residential Conservation Area designation.

## **2.0 Proposed Development**

- 2.1. Permission is sought, as per the public notices for permission for the demolition of the existing lean-to single storey breakfast/dining area (4.9sqm) to the existing kitchen at the rear return of the house, and the demolition of the two existing stone and slate lean-to back garden sheds, (totalling 5.06sqm), apart from the party walls to same. The development will consist of the construction of a new breakfast/dining area of 11.29sqm incorporating the existing lean-to area in the return; a new study/bedroom area of 18.60sqm including an en-suite toilet area and a link from the new breakfast/dining area to the study/bedroom area, totalling 7.11sqm all at ground floor level. The bedroom in the rear return area over the existing kitchen area is to be extended by 9.82sqm and is to include an en-suite toilet area. The development is to include roof lights, associated site works and other sundry works, all at 8, Brighton Square, Rathgar, Dublin 6.

2.2. The application included a number of supporting documents including as follows;

- Plans, particulars and completed planning application form
- Cover letter

### 3.0 Planning Authority Decision

#### 3.1. Decision

The Planning Authority decided to grant planning permission for the proposed development subject to 9 conditions, including the following:

2. Development contribution of €596.81.
3. Revisions to finishes including the omission of the proposed forticrete block.

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

The Planning report considered the proposed development in the context of the details submitted with the application, internal technical reports, third party submissions and the City Development Plan policies and objectives. The report also includes a section on Flood Risk and Appropriate Assessment Screening.

The planning report concludes that proposed development is acceptable subject to the amendments to the proposed facing material of forticrete blocks which are not considered complementary to the existing building or conservation area, where render/dash finish predominates. It is recommended that this be addressed by way of condition. The Planning Officer recommends that permission be granted for the proposed development, subject to 9 conditions.

This Planning Report formed the basis of the Planning Authority's decision to grant planning permission.

##### 3.2.2. Other Technical Reports

**Drainage Division:** No objection subject to compliance with conditions.

**Transport Planning Division:** No objection subject to compliance with conditions.

### 3.2.3. Third Party Submissions

There are 2 no. third party objections/submissions noted on the planning authority file. The issues raised are summarised as follows:

- Impact of development on adjacent property, 9 Brighton Square in terms of residential amenity and quality of life.
- The scale of the extension is a concern, and it is submitted that the proposed ground floor could potentially be a separate dwelling, overlooking the garden of No. 9 as well as the house.
- The development will result in loss of light and overshadowing considered significant.
- The development would be overbearing when viewed from adjacent property.
- Issues raised in relation to the boundary wall which is indicated as being in the sole ownership of the applicant.
- It is noted that applicant objected to a much smaller extension to the adjacent property in 2011.
- The first floor extension will overlook the adjacent property to the south, no. 7 Brighton Square.
- The design of the ground floor extension comes past the building line of existing ground structures and are not essential with respect to the provision of a ground floor bedroom.
- Issues raised with the clarity of the external finishes.

## 4.0 Planning History

There is no relevant planning history pertaining to the subject site.

### Adjacent Sites:

**PA ref 3131/11:** Permission granted for the demolition of the existing lean-to single storey kitchen to rear and construction of a new 27m<sup>2</sup> extension to the rear over two floors at No. 7 Brighton Square.

**PA ref 3434/10:** Permission granted for removal of existing single storey extension and rear chimney and the erection of a new two storey extension at No. 4 Brighton Square.

## 5.0 Policy and Context

### 5.1. Development Plan

- 5.1.1. The Dublin City Development Plan 2016 – 2022, is the relevant policy document relating to the subject site. Under the Plan, the subject site is zoned Z2, where it is the stated objective ‘To protect and/or improve the amenities of residential conservation areas’.
- 5.1.2. Chapter 11 of the CDP deals with Built Heritage and Culture and Section 11.1.5.4 deals with Architectural Conservation Areas and Conservation Areas where it is stated that DCC will seek ‘to ensure that development proposals within all Architectural Conservation Areas and Conservation Areas complement the character of the area, including the setting of protected structures, and comply with development standards’.
- 5.1.3. The following policies are relevant in the context of the proposed development site:
- Policy CHC1:** To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.
- CHC4:** To protect the special interest and character of all Dublin’s Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.
- 5.1.4. Volume 2 of the City Development Plan includes appendices. Appendix 17 of the CDP provides guidelines for residential extensions. Section 17.10 deals with contemporary extensions and 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.

- 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.

## **5.2. Natural Heritage Designations**

The site is not located within any designated site. The closest Natura 2000 site is the South Dublin Bay SAC (& pNHA)(Site Code: 000210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) which is located approximately 4.9km to the east of the site.

The Grand Canal pNHA (Site Code 002104) lies approximately 1.5km to the north while the North Dublin Bay pNHA, (Site Code 000206), is located approximately 6.2km to the north east of the site.

## **5.3. EIA Screening**

Having regard to nature and scale of the development, together with the existing residential nature of the site, 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.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

This is a multiple appeal including a first party appeal against the inclusion of 2 conditions and third-party appeal against the decision of the Planning Authority to grant planning permission for the proposed development.

### **6.2. First Party Appeal**

- 6.2.1. The first party has submitted an appeal against the inclusion of Conditions 2 and 3 as follows:

2. A development contribution in the sum of €596.81 shall be paid to the Planning Authority as a contribution towards expenditure that was and / or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority in accordance with Dublin City Council's Section 48 Development Contribution Scheme. The contribution is payable on commencement of development. If prior to commencement of development an indexation increase is applied to the current Development Contribution Scheme or if a new Section 48 Development Contribution Scheme is made by the City Council the amount of the contribution payable will be adjusted accordingly.

Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

**Reason:** It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. The development shall be revised as follows:

The proposed concrete block finish to the rear extension hereby approved shall be omitted. The external finish of the rear extension shall match that of the rear walls of the existing dwelling, unless otherwise agreed in writing with the Planning Authority.

Development shall not commence until revised plans, drawings and particulars showing the above amendment 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 interest of orderly development and the visual amenities of the area.

- 6.2.2. In relation to condition 2, it is submitted that:

- The sum of €596.81 seems excessive for a development which is not much larger than exempted development at the rear of a domestic dwelling.
- The house was constructed in 1867 and it is submitted that the residents have made a reasonable contribution to the costs of the local authority since then.

It is requested that the Board reconsider this sum.

6.2.3. In terms of condition 3, it is submitted:

- The proposed forticrete block finish was specified for technical and construction reasons as the blockwork will be close to the boundary line with only a gap of approximately 50mm between the proposed wall and the neighbours property.
- This is too narrow for a plasterer.
- This was clearly stated in the applicants letter to the PA, and it is submitted that this condition was not properly considered, and is therefore, invalid.
- Any surface treatment or rendering would involve trespassing onto the adjoining property to the south.
- While the Case Officer does not consider that the proposed forticrete blocks are complementary to the existing building, it is submitted that common concrete blocks have been used in the boundary wall to the south side of No. 7 Brighton Square and in the laneway boundary wall at the rear of houses 6 – 12. Concrete blocks are therefore not uncommon in this area.
- The rendering of the houses in Brighton Square has been uninformed and thoughtless and was often seen as a cheap solution to a complex problem. Rendering of the rear of the houses in the square happened at different times and all are different.
- The material specified in the application is infinitely superior to the common concrete blockwork used by neighbours and visible in the attached photos.
- The applicant is anxious to provide proper facilities and toilet accommodation at ground floor level and the additional space has been planned to meet this concern.

It is requested that Condition 3 be removed.



### **6.3. Third Party Appeal**

6.3.1. The third-party appeal is submitted by Kieran O'Malley & Co. Ltd on behalf of his client, Mr. John Doyle and Ms. Anne Ryder, 9 Brighton Square, Dublin 6. The submission notes that the appellants do not object to a reasonable extension, but it should not be at the expense of the amenity at their home. The issues raised reflect those raised with the PA during their assessment of the proposed development and are summarised as follows:

- **Administrative Matters:**
  - It is submitted that the lodged plans and particulars do not comply with the requirements of the Planning regulations.
  - The applicant did not include a site or layout plan indicating distances of the proposed extension from the site boundaries.
  - The drawings do not include an existing first floor plan, so it is challenging to follow the extent of the proposed works.
- **Corner Window:**
  - The proposed corner window at first floor level faces the appellants property.
  - It is located approximately 2.6m from the boundary so directly overlooks their home. This was ignored by the PA.
  - The window should be omitted by planning condition as it would directly overlook the appellants home and would seriously injure the amenities and privacy enjoyed.
- **First Floor Rear Return:**
  - There is no existing first floor plan to understand the extent of the proposed works at this level.
  - The proposed first floor extension would be overbearing in relation to the appellants property.
  - The proposed works is to extend the first-floor return beyond the rear building line of the adjoining return at No. 7 Brighton Square. The

appellant would have no objection if the first floor extension was modified to align with the established rear building line at no. 7.

- It would have minimal impact on the residential unit and would significantly reduce the overbearing impact on No. 9 thereby protecting neighbouring amenity.
- This could be dealt with by way of condition.
- Construction Hours:
  - Condition 7(a) of the Councils decision specifies a 07.00am start Monday-Friday and 08.00am start on Saturday.
  - While there is no objection per se to this, it is submitted that Mr. Doyle is a broadcaster with RTE News and like most of his colleagues, he is obliged to work from home because of Covid-19.
  - He broadcasts from home on weekdays at 7am and 8am and on weekends at 8am and 9am when rostered. Typically, broadcasts last 4 minutes each and the national broadcaster cannot tolerate construction noise during a live broadcast.
  - While it is expected that these matters can be agreed between neighbours, the appellant is anxious that the Board is aware so that an appropriate provision is included in the planning conditions governing working hours.
  - It is submitted that Mr. Doyle does not broadcast every week so the adjustment will not be a major imposition on the developer and the building contractor.

6.3.2. It is requested that due consideration be given to these issues.

#### 6.4. **Applicant Response**

The first party submitted a response to the third-party appeal. The submission is summarised as follows:

- It is submitted that the corner window referred to is located in an area which includes a number of existing windows which overlook the appellants property.
- These arrangements have existed for more than 150 years and to suggest that the provision of the small corner window represents serious overlooking is not accurate.
- The applicant did include a site or layout plan indicating the distances of the proposed extensions from the site boundaries.
- The appellants have constructed their extension beyond the original south face of their existing kitchen wall.
- The purpose of the corner window is to allow for some passive supervision of one or two elderly people who may be occupying the return bedroom.
- The window is not designed to overlook no. 9 Brighton Square.
- To suggest that the proposed works contravene the Z2 zoning objective is misleading.
- Existing houses adjacent have extended and modernised to provide appropriate accommodation and to suggest that the rear building line of No 7. is the natural building line for the first floor extension at No. 8 is misleading. The proposed en-suite is essential and constitutes proper planning and sustainable development.
- With regard to the construction hours, the applicant does not see any problem agreeing same with neighbours and a recommended condition is included.

It is submitted that the applicant is a qualified architect and has worked for more than 40 years in the public service, maintaining a continuing interest in planning.

## **6.5. Planning Authority Response**

The Planning Authority has responded to the first party appeal as follows;

- The contribution under condition 2 has been calculated in accordance with the Councils Development Contribution Scheme 2016-2020.

- Condition 3 allows for the submission of details of alternative external treatment to the extension, including revised plans where necessary.
- There is no record of planning permission for the concrete block walls referred to and they would not constitute exempted development.
- The additional photographs of forticrete are noted. It is not considered that this material would complement the character of the existing building or conservation area.
- It is considered that the wording of conditions 2 and 3 is justified.

## 6.6. Observations

None.

## 7.0 Assessment

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Principle of the development
2. Design & Residential Amenity
3. Other Issues
4. Appropriate Assessment

### 7.1. Principle of the development

- 7.1.1. The proposed development seeks to extend a mid-terraced house, which will consist of the demolition of the existing lean-to single storey breakfast/dining area (4.9sqm) to the existing kitchen at the rear return of the house, and the demolition of the two existing stone and slate lean-to back garden sheds, (totalling 5.06sqm), apart from the party walls to same. The development will consist of the construction of a new

breakfast/dining area of 11.29sqm incorporating the existing lean-to area in the return; a new study/bedroom area of 18.60sqm including an en-suite toilet area and a link from the new breakfast/dining area to the study/bedroom area, totalling 7.11sqm all at ground floor level. The bedroom in the rear return area over the existing kitchen area is to be extended by 9.82sqm and is to include an en-suite toilet area. The development is to include roof lights, associated site works and other sundry works, all at no. 8 Brighton Square, Dublin 6.

- 7.1.2. Having undertaken a site inspection, I would note that the general terrace in which the subject site sits has generally maintained its character within the streetscape. No development is proposed to the front elevation of the building. The access to the rear of the property is from the south, from Granville Avenue Upper and comprises a 3m wide track. This access is gated and provides access to all of the houses fronting onto Brighton Square.
- 7.1.3. Having regard to the location of the subject site within the city centre and in an area zoned Z2 -Residential Neighbourhoods (Conservation Areas). As such, the following objective is applicable; 'To protect and/or improve the amenities of residential conservation areas'. Residential is a permissible use within this zoning category. As such the proposal is acceptable in principle, subject to the detailed considerations below.

## **7.2. Design & Residential Amenity**

- 7.2.1. The assessment criteria for residential extensions are set out in Chapter 16 – Section 16.10.12 Extensions and Alterations to Dwellings, and Appendix 17 – Guidelines for Residential Extensions, of the current Dublin City Development Plan 2016-2022. The City Plan acknowledges the need for people to extend and renovate their dwellings, and the stated provides that extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area. The Plan also encourages sensitively designed extensions which do not negatively impact on the environment, on adjoining properties or on neighbouring areas and in particular, extensions within all Residential Conservation or Architectural Conservation Areas of Dublin City (Policy CHC4) must positively enhance the character of the area.

- 7.2.2. It is the stated policy of Dublin City Councils Development Plan, Policy CHC1 refers, to seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city. The Board will note that while Brighton Square is a Residential Conservation Area, there are no protected structures identified. The Board will note that the proposed development relates solely to the rear of the property and will not be visible from the public street. As such, I am satisfied that the proposed development will not have any significant impact in principle on the Residential Conservation Area in which the site lies.
- 7.2.3. The proposed development seeks to construct a modest extension to essentially provide an enlarged kitchen/diner area, an additional en-suite bedroom at ground floor, and an enlarged first floor bedroom. The extension will be located along the southern boundary of the site and will be set back from the northern boundary between 2.9m and 3m. I note that there are two existing trees along the northern boundary of the site which are to be retained and that a similar extension has been constructed on the house to the south. The extension proposes a contemporary design with a roof height of between 3m at the single storey extension comprising the bedroom and rising to a wall plate height of 4.5m, and a total ridge height of 7m on the southern elevation.
- 7.2.4. The extension is to be finished using forticrete blocks which will not require a rendered finish. In terms of the proposed finish, the Board will note the inclusion of Condition 3 of the PAs decision to grant which requires an alternative (and the first party appeal in relation to same). It is submitted that this material was selected due to technical requirements given the 50mm gap between the proposed building and the adjacent property to the south. Clearly, it would not be possible to render in such a small space. The PA is not satisfied that the finish would not complement the character of the existing building or the conservation area.
- 7.2.5. I note the difference between the forticrete blocks and regular concrete blocks and while I fully acknowledge the comments of the applicant, and indeed the logic, I am inclined to agree with the planning authority in this regard. The forticrete finish would represent a negative visual impact on the residential amenities of the private amenity areas of the adjacent houses, and particularly the house to the south, and would not positively enhance the character or the area in the context of the residential

conservation area. In this regard, I consider that the inclusion of the PAs condition 3 is both considered, reasonable and appropriate.

- 7.2.6. It is further requested that the first floor of the proposed extension be set back in line with No. 7 to the south of the appeal site in order to minimise the overbearing nature of the building. This would require the reduction in the first-floor element by between 1.2-1.5m and would reduce floor area of the room by approximately 3.6m<sup>2</sup> - 4.5m<sup>2</sup>. Having regard to the issues raised in the third-party submission, I would consider that the reduction in the depth of the first-floor extension to maintain the line of the adjacent property first floor extension is appropriate and would significantly reduce the visual impacts arising on both sides of the subject site.
- 7.2.7. The appellant is the owner of the property to the north and has raised concerns in terms of the impact of the proposed first floor corner window which faces into the appellants property. In response, the applicant submits that this window is considered necessary to provide passive supervision of elderly occupants of the room from the existing rear bedroom of the house. In addition, it is submitted that the rear area of the appellants property is already overlooked by existing windows in the house.
- 7.2.8. I have considered this matter carefully and while I acknowledge the first party submission, I am inclined to agree with the appellant. The corner window, while small in nature, will result in a perceived increased level of overlooking of the appellants property and would therefore, impact on the residential amenity of the home.
- 7.2.9. Overall, I am generally satisfied that the proposed development, subject to the amendments discussed above, is an acceptable form of residential development at this location and if permitted, would not significantly impact on the existing residential amenity of adjacent properties, subject to the above amendments.

### **7.3. Other Issues**

#### **7.3.1. Administrative Issues**

The Board will note that the pertinent issue arising in the third-party appeal relates to the plans and particulars submitted with the application. I have considered the matter

and am satisfied that the details submitted provide an appropriate level of detail in order to consider the proposed development in accordance with the Planning Regulation requirements.

### **7.3.2. Construction Hours**

The Third-Party appellant has raised concerns in terms of the start time for development works on the site. The concern relates to the nature of the appellants work with RTE News and the fact that he is working from, and therefore broadcasting from home. This work is noise sensitive, and the appellant has requested that a condition be included to avoid construction noise during the 4-minute broadcasts at 8am and 9am Monday to Fridays and 8am and 9am on Saturdays. It is also submitted that Mr. Doyle does not broadcast at these hours every week, so the adjustments should not be a major imposition.

The Board will also note the indication from the application that he does not envisage this to be a problem and that the matter can be agreed by the neighbours on a friendly basis. I would agree that reasonable notice should be provided to the developer of any live broadcast from the neighbouring property, and I note the commitment to prohibit noise related activities between the hours of 7am and 8.15am Monday to Friday and 8am to 9.15am on Saturday during such broadcasts.

### **7.3.3. Development Contribution**

The Board will note that the first party has submitted an appeal against the inclusion of Condition 2 which requires the payment of a development contribution in the amount of €596.81. It is submitted that this figure is excessive for a development which is not much larger than exempted development at the rear of a domestic dwelling. Notwithstanding the applicants' comments, having regard to the Dublin City Council Section 48 Development Contribution Scheme, the development is liable to pay a contribution.

In terms of the amount payable, the Board will note that the development proposes the construction of extensions totalling 46.82m<sup>2</sup> to the existing house. The Board will note that the floor area indicated in the planning application form is indicated at 46.48m<sup>2</sup>, but the figures given in the description of the development amount to 46.82m<sup>2</sup>.



Section 11 of the Scheme deals with development which will not be required to pay development contributions under the scheme including:

The first 40sq metres of extensions to a residential development (subsequent extensions or extensions over and above 40 square metres will be charged at the residential rate per square metre).

In this regard, the development contribution payable should relate only to the 6.82m<sup>2</sup> above the initial 40m<sup>2</sup>. The rate is €92.10 per m<sup>2</sup>, which equates to €628.12 in total. I am satisfied that the Planning Authority has appropriately applied the provisions of the Dublin City Council Development Contribution Scheme. In terms of the amount payable, the Board will note that I have recommended a reduction in the floor area of the proposed extended first floor bedroom.

#### **7.3.4. Appropriate Assessment**

The site is not located within any designated site. The closest Natura 2000 site is the South Dublin Bay SAC (& pNHA)(Site Code: 000210) and the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) which is located approximately 4.9km to the east of the site.

Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

## **8.0 Recommendation**

I recommend that planning permission be granted for the proposed development for the following stated reason and subject to the following stated conditions.

## 9.0 Reasons and Considerations

Having regard to the pattern of permitted development in the area, to the provisions of the Dublin City Development Plan 2016-2022, and to the layout and design as submitted, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of adjoining properties and would not seriously injure or affect the character of the Conservation Area. The proposed development would, therefore, 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 proposed development shall be amended as follows:
  - (a) The proposed forticrete block finish to the rear extension hereby approved shall be omitted. The external finish of the rear extension shall match that of the rear walls of the existing dwelling, unless otherwise agreed in writing with the Planning Authority.
  - (b) the first-floor extension, shall be reduced in depth, measured externally by 1.5m, to match the depth of the adjacent first floor extension.
  - (c) the first-floor corner window on the north western corner of the extended first floor bedroom shall be omitted.

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 interest of clarity and the protection of the general and visual amenities of the residential conservation area and the protection of residential amenities of adjacent properties.

3. 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.

4. 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

5. Site development and building works shall be carried out only between the hours of 0700] to 1800 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.

6. Notice of a minimum of one week of any live broadcast by RTE from No. 9 Brighton Square shall be provided to the developer during which time, construction noise from the development shall be prohibited. Details shall be agreed between the parties.

**Reason:** In the interests of proper planning and sustainable development.

7. 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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A. Considine

Planning Inspector

1<sup>st</sup> April 2021