



An
Bord
Pleanála

Inspector's Report

ABP-313607-22

Development	Construction of alterations, additions together with all associated site works and services.
Location	No. 37, Whitehall Road, Dublin 12.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD22B/0088.
Applicant(s)	Lisa & Fergal Griffin.
Type of Application	Planning Permission.
Planning Authority Decision	Grant.
Type of Appeal	<ol style="list-style-type: none">1. First Party.2. Third Party.
Appellant(s)	<ol style="list-style-type: none">1. Lisa & Fergal Griffin (First Party).2. Laurence & Pauline Foster (Third Party)/
Observer(s)	None.
Date of Site Inspection	22 nd day of September, 2022.
Inspector	Patricia-Marie Young.

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1.0 Site Location and Description

- 1.1. No. 37 Whitehall Road the appeal site is located on the northern side of Whitehall Road which runs from Kimmage Road West c277m to the north east in a south westerly direction for c980m to the Greentrees Road (R112) in the Dublin City suburb of Tenure. It has a stated 0.0618ha (680m²) site area.
- 1.2. The existing dwelling house on site is a 2-storey semi-detached dwelling that has been later extended to the side and rear. Its front façade contains two doors at ground floor level with the original door accessed via a single storey glazed flat roofed projection. is setback approximately 11.9m from the public domain of Whitehall Road by a part paved and lawned front garden area. At the time of inspection, the paved area accommodated two cars parked thereon. The road side boundary contained a vehicle entrance at its westernmost point. This entrance lies immediately to the south of Whitehall Roads junction with Whitehall Gardens. The remaining roadside boundary is comprised of solid capped wall with hedging behind.
- 1.3. To the rear the later single storey extension has a flat roof over. To the rear there are a number of outbuildings including a single storey dashed finished solid shed structure positioned immediately alongside the side boundary with No. 39 Whitehall Road and another more modest single storey solid shed structure positioned closer to the rear elevation of the dwelling.
- 1.4. To the immediate west the site is bound by a gable fronted originally detached dwelling that was later extended to its eastern side. This extension immediately adjoins the later extension to No. 37 Whitehall Road.
- 1.5. The surrounding area has a mature predominantly residential character with Whitehall Road at the time of inspection characterised by a steady flow of traffic in both directions.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
 - Construction of a single storey ground floor extension to the rear elevation including internal ground and first floor plan alterations;

- Construction of a ground and first floor extension to the front and side elevation;
- Alteration of fenestration to the front first floor landing window and ground floor entrance door;
- Alterations to roof structure required for first side extension including conversion of existing and proposed attic spaces with roof dormer to the rear elevation for the provision of a bedroom, ensuite bathroom and attic storage at second level and roof windows to the front elevation;
- Widening of existing vehicular entrance onto Whitehall Road; and,
- All associated site works and services.

2.2. According to the submitted planning application form the gross floor space of work proposed is 72.5m².

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The decision of the Planning Authority was to grant planning permission subject to 8 no. conditions including:

- | | |
|----------------------|---|
| Condition No. 2(i): | Requires the gable style roof to be redesigned from a fully pitched roof to a half-hipped roof profile. |
| Condition No. 2(ii): | Requires revisions to the attic floor plan to reflect the required changes to the roof profile. |
| Condition No. 3(i): | Requires the reduction in depth of the rear extension to a maximum depth of 4m. |
| Condition No. 3(ii): | Requires amended drawings showing the revisions required under sub-condition 3(i). |
| Condition No. 6: | Relates to the vehicle access and includes but is not limited to restricting its width to 3.5m. |
| Condition No. 7(b): | Restricts the use to a single dwelling. |
| Condition No. 8: | Sets out Section 48 contributions. |

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

The Planning Authority's Planning Officers report is the basis of their decision, and it includes the following comments:

- The principle of the development is deemed acceptable; however, it advises amendments to the overall design of the extensions proposed.
- Recommends that the amendments recommended by the Roads and Water Departments be included by way of condition.
- The additional information requested by Irish Water can be satisfactorily be dealt with by way of condition.
- No AA or EIA issues arise.
- A grant of permission recommended.

3.2.2. **Other Technical Reports**

Roads: No objection, subject to safeguards.

Water Services: No objection, subject to safeguards.

3.3. **Prescribed Bodies**

3.3.1. **Irish Water:** Additional Information sought.

3.4. **Third-Party Observations**

3.4.1. During the course of the Planning Authority's determination of this application two Third Party submissions were received from the adjoining properties on either side of the subject site. These submissions are attached to file. I consider that the main concerns raised relate to residential and visual amenity impacts.

4.0 **Planning History**

4.1. **Site:**

4.1.1. No recent and/or relevant planning history.

4.2. In the vicinity – Recent

4.2.1. The Planning Authorities Planning Officer’s report sets out recent decisions for similar developments in the vicinity of the site. This report is attached to file, and I have noted the decisions set out therein. The following is recent Board decisions in relation to residential developments within the immediate site setting.

- **No. 42 Whitehall Road**

ABP-313855-22 (P.A. Ref. No. SD22A/0094): Concurrently on appeal with the Board is a First Party appeal relating to permission for a development consisting of the construction of a 3-bed detached sustainable 2 storey house; new vehicular/pedestrian entrance; 2 car driveway; all associated site boundaries, landscaping, drainage, new foul water connection to Whitehall Road and ancillary works. This property lies on the opposite side of Whitehall Road.

- **No. 38 Whitehall Road**

ABP-312159-21 (P.A. Ref. No. SD21B/0163): On appeal to the Board permission was **granted** for a development consisting of alterations and extensions to house together with associated site development works.

Decision date: 21.04.2022.

5.0 Policy Context

5.1. Development Plan

5.1.1. The appeal site is located in an area that is zoned objective ‘RES’ under the provisions of the South Dublin County Development Plan, 2022-2028. The stated objective is: ‘to protect and/or improve residential amenity’.

5.1.2. H10 Objective 2 of the Development Plan is relevant. It states that the Planning Authority will seek: *“to support the design of adaptable residential unit layouts that can accommodate the changing needs of occupants, through extension or remodelling subject to the protection of residential amenity.”*

5.1.3. Section 6.8.2 of the Development Plan deals with the matter of residential extensions and sets out that domestic extensions allow for the sustainable adaptation of the

County's existing housing stock. With the South Dublin County Council House Extension Design Guide (2010) providing supplementary policies and guidance.

5.1.4. Policy H14 of the Development Plan is relevant. It states that the Planning Authority will: *"support the extension of existing dwellings subject to the protection of residential and visual amenities"*.

5.1.5. The following objectives of the Development Plan are also relevant:

H14 Objective 1: *"To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines)."*

5.1.6. Chapter 12 of the Development Plan in relation to extensions states that: *"the design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Design Guide, 2010, or any superseding standards."*

5.1.7. Chapter 12 of the Development Plan in relation to driveways and the accommodation of in-curtilage parking restricts the width between pillars to 3.5m. It states that this shall not normally be exceeded for reasons of pedestrian safety and visual amenity alongside the retention of on-street parking spaces. Where damage would arise to street trees such development will not be permitted. In addition, where a solid surface is proposed to accommodate parking in a front garden area, it sets out that permeable paving shall be used, in the interest of sustainable drainage.

5.2. Natural Heritage Designations

5.2.1. The site is not located within or close to any European site. The closest such sites are the South Dublin Bay SAC and the South Dublin Bay and River Tolka Estuary SPA which are located c.6.9 km to the east at the closest point.

5.3. EIA Screening

5.3.1. The form of development proposed is not of a class for the purposes of EIA and no screening assessment is therefore required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The First Party Appeal submission can be summarised as follows:

- Appeal relates to the requirements of Condition No. 3 only.
- The requirements of this condition are considered to be excessive, and it is requested that it be omitted based on the design, scale and simplicity of the single storey extensions design which is contended to be in keeping with the architectural design of the property.
- This extension would not reduce the private open space to less than 25m².
- This reduction would result in the length of the extension being reduced from 5.576m to 4m. The reduction would not give rise to any significant residential amenity improvement to properties in the vicinity that would warrant its inclusion as a condition.
- The adjoining shrubbery of the adjoining property of No. 35 results in diminishment of light to the applicant's property. More so than a single storey extension as that proposed would result in.
- Other extensions with greater depths have been permitted in this area.
- The proposed extension would not give rise to any adverse residential and/or visual amenity impact on its setting.

6.1.2. The Third-Party appeal submission can be summarised as follows:

- Procedural concerns are raised in relation to the Planning Authority handling of this application.
- The description of the development fails to include mention of any demolition and suggests that existing structures would be renewed.

- The Planning Authority in making their decision have failed to have regard to the concerns that they have raised. They have failed to take account of the potential costs that may be incurred by them by the works proposed including demolition of adjoining structures in making their property structurally sound and safe thereafter.
- Reference is made to verbal agreements in place between previous owners of No. 37 and No. 39 Whitehall which has in their view been misconstrued by the Planning Authority in making their determination.
- The alterations to the front of the dwelling would have visually unacceptable impact on their property and their residential amenity. It is considered that it would be visually intrusive and overbearing.
- Permission for development forward of the front building line would have a negative impact on the amenity of neighbouring properties. There is no precedent for this and any projections such as porches are single storey in height.
- The velux window in the proposed extension would have the potential to overlook.
- The appellants raise concern that the proposed reconfigured roof profile would be overbearing and would create a visual imbalance that would detract from the symmetry present of roof structures on either side. It is therefore welcomed that the Planning Authority required by way of condition a change to a half-hipped roof. It is requested that the Board retain this condition in the interest of visual amenity.
- Concern is raised that by permitting a second-floor level adjoining the side of the subject property that this could impact upon the future potential for them to build a second-floor level above their garage as the outcome would be a terrace-built form.

6.2. **Planning Authority Response**

- 6.2.1. Response received by the Board stating that the Planning Authority confirms its decision and that the issues raised in the appeals have been addressed in their Planning Officer's report.

6.3. **Observations**

- 6.3.1. None.

7.0 Assessment

7.1. Overview

7.1.1. Having carried out an inspection of the site and its setting, having considered all relevant local through to national planning policies provisions alongside all documentation on file including submissions, I am satisfied that the main issues that arise in this appeal case are those raised by the First- and Third-Party Appellants in their separate appeal submissions to the Board. I consider that no other substantive issues arise from the proposed development sought which essentially consists of alterations and additions to an existing dwelling house as well as widening of an existing vehicle entrance onto Whitehall Road, subject to standard safeguards such as those imposed by the Planning Authority in their notification to grant permission. I therefore propose to address these issues in turn under the following broad headings in my assessment below:

- Principle of Development
- Design and Visual Impact
- Civil Matters
- Procedural Concerns

7.1.2. The matter of '*Appropriate Assessment*' also requires examination.

7.2. Principle of the Proposed Development

7.2.1. The site forms part of a larger parcel of land zoned '*RES*' under the applicable Development Plan. The land use objective for such lands is: "*to protect and/or improve residential amenity*" and on such zoned lands this type of development is deemed to be generally acceptable. With this further supported by Policy H14 of the Development Plan which states that the Planning Authority will: "*support the extension of existing dwellings subject to the protection of residential and visual amenities*". I am therefore satisfied that that the principle of the development proposed which essentially consists of alterations and additions to an existing dwelling house together with modifications to its roadside boundary is acceptable at this mature residential suburban location subject to the acceptance or otherwise of site specifics / other policies within the

development plan and / or other relevant government guidance in order for it to accord with the proper planning and sustainable development of the area is acceptable.

7.3. Design and Visual Impact

- 7.3.1. The Third-Party Appellant in this appeal case raises a number of concerns in relation to the proposed design, massing, scale, and overall built form of the proposed development. Particular concern is raised by them that, if permitted, in the form proposed it would be visually overbearing and intrusive as observed from their adjoining property as well as when observed from the streetscape scene.
- 7.3.2. They also raise concern that the two-storey extension to the front would be visually detrimental to the visual amenities of their property. With this impact arising in their view from its visual intrusive design, mass and built form that would break the established front building line in a manner that they contend would be out of character with the pattern of development in its setting.
- 7.3.3. On this point they argue that there is a coherent front building line along Whitehall Road that has not been eroded by two-storey built forms like that proposed under this application.
- 7.3.4. The Third-Party Appellant further considered that the amendments to the roof structure as provided for by the Planning Authority by way of condition would improve the visual integration of the proposed extension in its streetscape scene.
- 7.3.5. Though they raise concern that the extent of the side extension at second floor level by way of extending to the party wall would potentially compromise the latent potential for them to build over their garage as it would give rise to a terrace group.
- 7.3.6. Altogether they contend that the proposed development would give rise to negative impacts on their residential and visual amenity of their property as well as would negatively impact the visual amenities of the site's surrounding setting.
- 7.3.7. On the other hand, whilst the First Party appellant in their submission seek that Condition No. 3 which I note requires the rear extension to be reduced to a maximum depth of 4m. They contend that this requirement in the grant of permission is excessive as well as would not give rise to any significant residential and/or visual amenity impact improvement on its setting. But would significantly adversely impact on the design of

this extension to meet their needs and they raise no specific issue with the other safeguards set out in the grant of permission.

- 7.3.8. With these including a change in roof design from a fully pitched roof to a half-hipped roof under Condition No. 2 for the side extension through to limiting the width of the vehicle entrance to a maximum width of 3.5m.
- 7.3.9. They also put forward that the design resolution has had regard to the pattern of development in this area, including extensions that have been permitted to existing dwellings and the design would be added to by a qualitative palette of materials, treatments, and finishes.
- 7.3.10. Overall, they contend that the proposed development accords with local planning provisions for the type of development proposed and the proper planning as well as sustainable development of the area.
- 7.3.11. In relation to the design and visual impact of the proposed development I concur with the Planning Authority that the roof structure over the side two storey extension should be amended from a fully pitched roof to a half-hipped roof profile in the interests of safeguarding the visual amenities of the host dwelling as part of a semi-detached pair as contributed to by its original roof profile which includes a sloping side profile.
- 7.3.12. With this semi-detached pair having a roof structure design that is coherent with other semi-detached pairs in its vicinity.
- 7.3.13. Moreover, it would provide for a greater void between the amended roof structure and the detached property of No. 39 Whitehall Road which adjoins the western boundary of the site.
- 7.3.14. Further, I consider this revision allows for a level of subservience of the second-floor side extension as appreciated within its visual setting, in particular as viewed from the public domain of Whitehall Road and as viewed from the context of No. 39 Whitehall Road.
- 7.3.15. I also acknowledge that the amended roof structure would give rise to a modest reduction in overshadowing in its immediate context, in particular on No. 39 Whitehall the adjoining property to the west and to the private amenity space of this property as well as the subject property itself which have a northerly aspect.

- 7.3.16. I therefore recommend that the Board should it be minded to grant permission uphold this condition mainly on the basis of this revision being in the interests of improved visual amenity outcome on the host dwelling and its setting.
- 7.3.17. In relation to the projection forward of the front building line I note to the Board that the main two storey element extends 0.9m forward of the front elevation of the host semi-detached pair on its western side where at present there is a side extension which maintains the front building line. With the semi-detached pair including an asymmetrically placed bay window projection at ground and first floor level. This feature is also present on its originally matching pair to the east, i.e., No. 35 Whitehall Road. Modest projections at ground and first floor level are evident in the streetscape scene of Whitehall Road in the immediate and wider vicinity of the site.
- 7.3.18. As part of the design of the side extension at first floor level a feature oriel window of contemporary design and finish is proposed that in terms of height projects above the eave's height of the proposed new roof structure but with a maximum height that mirrors the eaves of the host dwelling. The height and width of this oriel window replicates the proposed window at ground floor level. With both being of similar heights to the main window in the bay window but with a lesser width.
- 7.3.19. Overall, I concur with the Planning Authority that subject to the amendments required under Condition No. 2 of the grant of permission that the remainder of the two-storey side extension would be a legible new building layer in its own right that would not be visually overbearing or out of context with the pattern of development that characterises this residential suburban streetscape scene that includes a mixture of architectural styles. Including a mixture of design responses to later additions that are visible from the public domain.
- 7.3.20. I also note that the host dwelling, its matching pair, and its streetscape scene is not afforded any specific protection.
- 7.3.21. Moreover, the host dwelling maintains the front building line for c7.65m of its width with the side extension resulting in a more modest 3.5m where the front building line is exceeded.
- 7.3.22. Further, this modest projection forward of the front building despite its two-storey built form, irrespective of roof structure over, would not give rise to a significant diminishment of residential amenities of properties in its immediate vicinity, by way of

overshadowing, given the orientation of the site which has a south-easterly inclination in its alignment.

- 7.3.23. In addition, the glazing of this structure exceeds the 22m of lateral separation distance between opposing first floor level windows. As such no overt overlooking would arise from the proposed extension and any amendments to glazing above first floor level from this extension that would be out of context in a suburban setting where there is an established level of overlooking arising from the pattern of development that includes mainly two storey residential suburban built forms.
- 7.3.24. In relation to the amendments to the design sought under Condition No. 3 of the Planning Authorities grant of permission to the single storey rear extension which the drawings indicate extend 5.825m (Note: Drawing No. A200) in depth from the original rear elevation of No. 37 Whitehall Road to a maximum depth of 4m. I note that No. 37 Whitehall Road like other properties in its vicinity benefit from being a generous width of over 11.6m. With No. 37 Whitehall at ground floor level extending in its width across the entirety of the site.
- 7.3.25. There is an existing extension later single storey extension that extends 3.619m out from the original rear elevation with this having a width of 7.654m and a height of 2.775m. This structure is of no architectural or other merit and as such it would appear that it would be incorporated into the proposed rear extension. This is in part supported by maintaining the eastern elevation by building out and over from it. As well as by maintaining the finished floor level of the ground floor of the host dwelling which this existing extension matches.
- 7.3.26. There are a number of outbuildings to the rear of the host dwelling. Two are permanent structures. There is no inclusion in the public notices for the demolition of either structure. It would, however, appear from the submitted drawings that these structures would be removed to facilitate the single storey rear extension component of the proposed development. These structures are of no architectural merit and their demolition, particularly the structure nearest to the rear elevation where the drawings indicate a paved area to the western side of the proposed extension is proposed. The demolition of this structure would not only result in improved connectivity to the private amenity space of No. 37 Whitehall Road to the side of the extension but crucially it would remove any conflict with the proposed oriel window on the western elevation.

In so doing also improving light and ventilation into the rear extension from this oriel window.

- 7.3.27. In relation to the larger shed structure, this is also relatively modest but appears that this structure may be incorporated or adjoins the party wall with No. 39 Whitehall Road. Its demolition is not required to facilitate the proposed rear extension due to their being a greater lateral separation distance between it and the original rear elevation its proximity to it. There is no consent for any interference with the party wall from the owners of No. 39 Whitehall Road provided with this application. I propose to comment on civil matters such as encroachment and the like separately in my assessment below.
- 7.3.28. Maintaining this structure arguably would allow for the rear extension to site more comfortably in the generous rear garden space of the host dwelling.
- 7.3.29. On the other hand, its presence could provide a level of privacy for occupants of the host dwelling using the area to the immediate rear of the elevation of the proposed extension.
- 7.3.30. Works that are development and not exempted development that are not included in the scope of a planning application are outside of the bounds of the Boards remit in the determination of this appeal case. It is standard practice for any grant of permission to confine what is permitted by way of condition which I advise that the Board do should it be minded to grant permission.
- 7.3.31. In terms of the reduction of the depth to 4m as said previously the rear private amenity space of the host dwelling is generous. It has a width of c11.6m and a depth from the original rear elevation of c31m. This is similar to the rear private amenity space of properties on either side.
- 7.3.32. The proposed alterations and additions would result in a single storey rear extension projecting c5.8m from the original rear elevation. The proposed extension would have a width of 9.26m that maintains the setback of the existing rear elevation's eastern wall. Its main western elevation would have a lateral separation distance of over 2.3m from its side boundary. The single storey structure would have a slight slope in its roof structure with it having a maximum height of 3.172m at its maximum height.

7.3.33. There are a variety of single and two storey extensions in the vicinity. Given the built form, the orientation of the site, its juxtaposition to other properties, including private amenity spaces through to the pattern of development in the area, I am not satisfied that the reduction of the depth of the rear extension is justified on safeguarding and protection residential and/or visual amenity. This is on the basis when taken together with the two-storey side extension:

- The design and built form are subservient to the host dwelling.
- The additions and alterations are legible as new building layers that allows for the host dwelling to easily be appreciated and not overwhelmed or masked by them. Whilst providing a contemporary design solution to improve the residential amenity for its occupants.
- The design is not out of character with the built form of other additions and alterations in its streetscape scene.
- By confining the two-storey extension to the side the extensions to the rear are less visually intrusive to the host dwelling and when observed from neighbouring properties and also reduces the potential for adverse overshadowing to occur.
- There is limited new glazing to the rear of the two-storey extension with the two-storey extension maintaining the original rear building line. As such in this suburban context characterised by two storey structures there is no undue level of overlooking or diminishment of privacy arising from the design to adjoining and neighbouring properties in the vicinity.
- Any residential nuisance that would arise would be short term in nature as it would relate to the construction phase. It is standard practice to include conditions to limit the nuisances arising during construction works. Upon completion of construction works it is not envisaged that any undue residential and/or visual amenity impact would arise.
- The design of the proposed development is consistent with the standards set out in Chapter 12 of the Development Plan and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010. This I note is a requirement of H14 Objective 1 of the Development Plan.

7.3.34. In conclusion, I consider that there is no justification for the reduction in depth of the rear extension to 4m on residential and/or visual amenity grounds. I also consider that the proposed development, subject to the amendments to the roof structure as set out in the Planning Authority's notification to grant permission, alongside other standard safeguards, that the proposed development is consistent with the proper planning and sustainable development of the area. In particular Policy HC14 of the Development Plan which supports this type of development subject to protection of residential and visual amenities.

7.4. Civil Matters

7.4.1. In relation to the Third-Party concerns that the subject proposal to build onto the middle of the party wall has the potential to give rise to structural integrity issues for the observer's property and potential costs. They also raise a concern that by extending to the party wall that should they wish to build over their adjoining side extension which also incorporates the party wall that in order to not achieve a terrace effect that the potential of their property would be limited by this developments failure to maintain a void between at first floor level.

7.4.2. I also note that there is no written evidence to substantiate any consent for any interference to the party wall between No. 37 Whitehall and the Third-Party Appellants property No. 39 Whitehall Road.

7.4.3. It is my opinion that any instances of damage to, or interference with, the appellants' property attributable to the proposed development would essentially be a civil matter for resolution between the parties concerned. In this respect I would refer the Board to Section 34(13) of the Planning and Development Act, 2000, as amended, which states that '*A person shall not be entitled solely by reason of a permission under this section to carry out any development*' and, therefore, any grant of permission for the subject proposal would not in itself confer any right over private property.

7.4.4. I therefore recommend that the Board should include an advisory note setting out Section 34(13) should they be minded to grant permission for the development sought under this application.

7.5. Procedural Concerns

7.5.1. The Third-Party appellant raises procedural concerns in relation to the Planning Authority's handling of this planning application, including in timely notification of the

decision to grant permission. In relation to procedural concerns the Board does not have an ombudsman's role on such matters with its role in this appeal case confined to a *de novo* assessment of the proposed development in accordance with proper planning and sustainable development of the area.

7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

- 8.1. I recommend that permission be **granted**.

9.0 **Reasons and Considerations**

Having regard to the residential zoning objective for the area, to the design and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. 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 gable roof reconfiguration shall be redesigned from a fully pitched roof profile to a half-hipped roof profile.
 - (b) The internal dimensions of the attic floor plan shall be revised to correspond with the half-hipped roof profile.

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 amenity.

3. The entire premises shall be used as a single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units.

Reason: To prevent unauthorised development.

4. Details of the materials, colours, and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. 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.

6. (a) The vehicular access point shall not exceed a width of 3.5 meters.
 - (b) The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department and at the applicant's expense.

(c) The boundary walls at the vehicle access points shall be limited to a maximum height of 0.9m and any boundary pillars shall be limited to a maximum height of 1.2m.

(d) Any gates shall open inwards and not outwards over the public domain.

Reason: In the interest of public safety and the proper planning and sustainable development of the area.

7. Site development and building works shall be carried out only between the hours of 0800 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.

8. The site development works, and construction works shall be carried out in such a manner as to ensure that the public roads are kept clear of debris, soil, and other materials and if the need arises for cleaning works or repair to be carried out to the same, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining lane and roads are kept in a clean and safe condition during construction works in the interests of orderly development.

9. The construction of the development shall be managed in accordance with a Construction 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 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.

10. 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.

Advisory Note:

- 1. The applicant is advised of Section 34(13) of the Planning and Development Act, 2000, as amended that “a person shall not be entitled solely by reason of a permission or approval under this section to carry out a development”.*
- 2. A grant of planning permission does not entitle the applicant to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.*

Patricia-Marie Young
Planning Inspector
27th day of October, 2022.