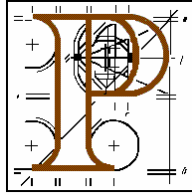


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2009

Dublin City

Planning Register Reference Number: 2140/09

An Bord Pleanála Reference Number: PL 29S.235281

APPEAL by Clare Kelly care of N. A. Carroll Architects of 12 Albany Road, Ranelagh, Dublin against the decision made on the 14th day of October, 2009 by Dublin City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The erection of one number two-storey mews dwelling with screened roof terrace at rear, balcony to internal courtyard and approximately three square metres solar panels to south-west roof pitch at rear of 25 Newbridge Avenue, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the planning history of the site which included permission for a house on this site, the emerging pattern of development in the area including the adjacent permitted news houses and the provisions of the Dublin City Development Plan 2005-2011, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenity of the streetscape or the character and residential amenities of the area, would provide for an adequate standard of development and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 17th day of September, 2009, 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. Prior to commencement of development, details of an adequate potable water supply to service the site, indicating one of the following options below, shall be submitted to and agreed in writing with, the planning authority:-
 - (a) A connection to the public watermain via the adjoining laneway to the north.
 - (b) A connection to the public watermain via the existing dwelling to the south (number 25 Newbridge Avenue).

In the event that option (b) above is implemented, a watermain connection point shall be provided within the site to facilitate connection to any future watermains in the laneway to the north.

Reason: In order to ensure an adequate potable water supply to service the site

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The roof colour shall be blue-black, black, dark brown or dark grey in colour only.

Reason: In the interest of visual amenity.

4. The entire premises shall be used as a single dwelling unit.

Reason: To prevent unauthorised development.

5. Where the occupants of the proposed mews house own or use a motor vehicle which is based at the mews house, nothing shall be stored or placed in the proposed courtyard parking bay which would prevent the regular parking of the car in that location.

Reason: To minimise on-street parking.

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 between 0800 hours and 1900 hours, Monday to Friday, between 0800 hours and 1400 hours on Saturday and not at all on Sundays, Bank or Public Holidays. Deviation from these times shall only be allowed in exceptional circumstances where the prior written agreement of the planning authority has been received.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2010.