

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 4098/15

An Bord Pleanála Reference Number: PL 29N.246178

APPEAL by Janet Cleary and Keith Flynn of 13 First Avenue, Seville Place, North Wall, Dublin against the decision made on the 21st day of January, 2016 by Dublin City Council to grant subject to conditions a permission to Simon Rogers care of Edmond J. Desmond and Associates of 85 Seatown Villas, Swords, County Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolish existing single storey non compliant extension, existing chimney to underside of first floor ceiling and support stack with structural steel framework, and to build two storey extension to rear, together with internal alterations at 11 First Avenue, North Wall, 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 pattern of development in the area, to the limited extent of the proposal, to the fact that a larger open space area at the rear than exists at present would be created by the proposal, and to the need to ensure that historic houses of limited size remain compatible with modern use, the Board considered that the proposal was appropriate and that it would not seriously injure the amenities of properties in the vicinity and that it would, if carried out in accordance with the conditions attached hereto, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the limited extent which the extension extended behind the original rear wall of the house and to the creation of a larger rear amenity space and considered that it would be acceptable in terms of amenity and would not set an undesirable precedent for development.

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 rear bedroom window shall be glazed in obscure glazing and a roof light shall be provided, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

3. The external finish shall match the existing house in respect of materials and colour.

Reason: To protect existing amenities.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. 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.

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

Dated this day of 2016.