

An  
Bord  
Pleanála

**Board Direction**  
**BD-008555-21**  
**ABP-310058-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/06/2021.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the residential zoning objective for the area, to the pattern of development in the area and to the extant permission for the development of a house on the site, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development 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 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 roof ridge height shall be a maximum of 7.55 metres above ground level and the front roof slope shall match that of the existing terrace of dwellings to the north-west at Nos. 34-40 Edenmore Avenue.
  - (b) The proposed dormer to the rear roofslope and rooflights to the front roofslope shall be omitted from the proposed development.
  - (c) The proposed mono-pitch roof over the TV room and bedroom section of the proposed development shall be omitted and replaced with a pitched roof with a matching eaves height to that of the main part of the proposed dwelling.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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

**Reason:** In the interest of the amenities of the area.

4. 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.

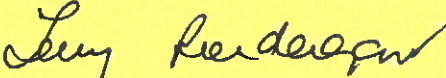
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

5. All other relevant conditions attaching to Dublin City Council Ref. 2374/13 (as extended by Ref. 2374/13/X1) shall be complied with in the development.

**Reason:** In the interests of clarity.



**Board Member**



**Date:** 17/06/2021

Terry Prendergast