

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: WEB 1343/15

An Bord Pleanála Reference Number: PL 29S.246396

APPEAL by Lucille Redmond care of Martin Lynch of The Garden Studio, 21 Grosvenor Square, Dublin and by Patrick and Violet Short of 11 Glendown Drive, Templeogue, Dublin against the decision made on the 11th day of March, 2016 by Dublin City Council to grant subject to conditions a permission to Gavin Wyley care of Mark Kennedy of 30 Dominic Street, Kilkenny, County Kilkenny in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of single storey extensions to rear and garage to side, and construction of new part two-storey, conversion and extension of existing attic including new dormer rooflight to rear, part single storey extension to the side and rear, the widening of the existing vehicular entrance and all associated siteworks at 21 Clareville Road, Harold's Cross, 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 zoning objective of the site Z1 Sustainable Residential Neighbourhoods 'To protect, provide and improve residential amenities', to the provisions of the Dublin City Development Plan 2011-2017 regarding the extension of residential dwellings, and to the nature and extent of the development proposal, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of residential property in the vicinity and would 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 submitted on the 16th day of February 2016, 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 southwest side elevation shall be finished entirely in a pale, bright neutral colour. Details in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of protecting the visual amenities of the neighbouring property to the southwest.

3. Water supply and drainage arrangements, including the provision of separate foul and surface water systems up to a combined final connection discharging to the public combined sewer, and 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.

4. 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.

5. During construction and demolition phases the proposed development shall comply with British Standard 5228 "Noise Control on Construction and Open Sites Part 1. Code of practice for basic information and procedures on noise control."

Reason: In order to ensure a satisfactory standard of development in the interest of residential amenity.

6. 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

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

Dated this day of 2016.