

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2744/16

An Bord Pleanála Reference Number: PL 29N.246867

APPEAL by Dalen Kambur and Helen Whelan of 286 North Circular Road, Phibsboro, Dublin against the decision made on the 10th day of June, 2016 by Dublin City Council to grant subject to conditions a permission to Michael Kelly care of Melted Snow Architects of 260 South Circular Road, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of existing single storey extension to rear, construction of new two-storey extension to the rear, new window opening to side of existing two-storey return extension at first floor, associated internal modifications and external landscaping, all at 1 Rosemount Road, Phibsborough, 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 residential zoning objective for the area and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not adversely impact on the architectural character of Rosemount Road, 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 external brick finish to be used in the extension shall be consistent in colour and texture with the brick finish to the existing dwelling on the site. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a sample of the brick to be used.

Reason: In the interest of visual amenity and to protect the character of this residential conservation area.

3. The proposed window at first floor level in the north-west facing elevation in the existing two-storey return extension shall be redesigned so that its sill level internally shall be not less than 1.8 metres above the finished first floor level. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority plans, sections and elevations at a scale of not less than 1:100 indicating compliance with this condition.

Reason: To obviate overlooking of the private open space of the existing dwellings located to the north-west of the application site.

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.

Reason: In the interest of public health.

5. 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 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 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.