

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: WEB1104/16

An Bord Pleanála Reference Number: PL 29S.247187

APPEAL by Marie Elliott and Peter and Judith Carey care of Donal O'Connell of 3 Summerville Park, Rathmines, Dublin and by Pauline Kinsella care of Darragh McAdam of Tirraneil, Monaghan, County Monaghan against the decision made on the 5th day of August, 2016 by Dublin City Council to grant subject to conditions a permission to John Mullen care of JFOC Design and Planning of 11A Greenmount House, Harold's Cross, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Conversion of existing attached garage as utility/store (16.7 square metres), first floor extension over existing garage (10.9 square metres) and part single, part two storey extension (88.7 square metres) to rear of existing two storey detached dwelling and all associated and ancillary site works to include increase in width of existing vehicular access to 3.6 metres and creation of an additional 3.6 metres wide vehicular access/egress onto Belmont Avenue, all at 63 Belmont venue, Donnybrook, 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 nature, design and scale of the proposed extension to an existing house, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity 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 submitted on the 11th day of July, 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The first floor rear extension, as shown on drawing number 16.102.FID04 submitted to the planning authority on the 11th day of July 2016, shall be amended as follows:
 - (a) the depth shall be reduced to four metres from the external rear wall of the existing dwelling, and
 - (c) the width shall be reduced by setting the south western elevation in by one metre, at the boundary with number 65 Whitebeam Road.

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: To reduce overbearing and overshadowing impacts, in the interest of neighbouring visual and residential amenity.

3. (1) The existing pedestrian and vehicular entrances shall be retained and shall not be amended.
- (2) The proposed second vehicular entrance and amendments to car parking arrangements shall be omitted.

Reason: In the interest of pedestrian and traffic safety, and to protect the visual integrity of the Belmont Avenue/Mount Eden Road and Environs Architectural Conservation Area.

4. The external finishes of the proposed extension including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

6. 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.

7. 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.

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, 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.