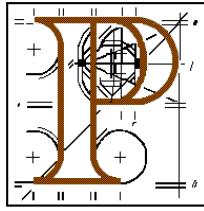


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 3144/16

An Bord Pleanála Reference Number: PL 29N.247224

APPEAL by Helen and Colin Tierney care of The House Architects of Father Matthew Hall, 131 Church Street, Smithfield, Dublin against the decision made on the 11th day of August, 2016 by Dublin City Council in relation to an application for permission for partial demolition, extension and alterations to existing two-storey semi-detached house, comprising single storey extension to side and rear and attic conversion with dormer to side and area and two number roof lights to front with associated elevation changes and site development works. Additional floor area at ground floor level 46 square metres and attic level 23 square metres. All at 259 Collins Avenue, Whitehall, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the single storey rear and side extensions and to refuse permission for the combined development of the dormer to side and rear and two number roof lights to front).

DECISION

GRANT permission for the said single storey rear and side extensions in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. **REFUSE** permission for the said combined development of the dormer to side and rear and two number roof lights to front based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the nature of the proposed ground floor extensions, it is considered that, subject to compliance with the conditions set out below, this element of the proposed development would be in keeping with the existing character and pattern of development in the immediate area and would not seriously injure the existing visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for the roof lights and dormer extensions the Board considered that the proposed works would be overly dominant and visually incongruous and would undermine the character of the existing dwelling and the existing semi-detached arrangement and would not 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 dormer and roof light elements of the proposed development shall be omitted.

Reason: In the interest of visual and residential amenity.

3. 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 and to ensure a proper standard of development.

4. Details of the materials, colours and textures of all the external finishes to the proposed extensions 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. Site development and building works shall be carried out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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 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.

