

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dublin City**

**Planning Register Reference Number: 4034/15**

An Bord Pleanála Reference Number: PL 29N.247732

**APPEAL** by John Connolly and Others care of 13 Botanic Park, Glasnevin, Dublin against the decision made on the 17<sup>th</sup> day of November, 2016 by Dublin City Council to grant subject to conditions a permission to Fiona Murphy care of McNamee Chartered Building Surveyors Limited of Excelsior House, Jocelyn Place, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Demolition of the existing single story printing works building. The construction of a total of six number residential units, comprising of the following: Block A to comprise two number four bedroom semi detached two-storey houses with attic floor area, each house having one number dormer window to the south elevation and two number velux roof lights to the rear. Block B to comprise three number four bedroom semi detached two-storey houses with attic floor area, each house having one number dormer to the north elevation and two number velux roof lights to the rear and one number two bedroom single storey house with attic floor area and dormer windows to the north and south elevations. The proposed development includes all associated and ancillary site development works, increase in width of existing vehicular entrance access from Number 19A onto Fairfield Road, open space, 12 number car parking spaces, 12 number cycle bays, site road and services, hard and soft landscaping, all at a 0.1924 hectare site located at 19-19A Fairfield Road, Glasnevin, Dublin, (located at the rear of properties on Fairfield Road, Daneswell Road, Vera Terrace and Botanic Park, Glasnevin, 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 provisions of the Dublin City Development Plan 2016-2022, to the planning history of the site, and to the scale and nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Development Plan, would not seriously injure the amenities of the area, would be appropriate within the area and would provide an acceptable standard of amenity for future residents. 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, as amended by the further plans and particulars submitted on the 21<sup>st</sup> day of October, 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 development shall be amended as follows:
- (a) Units numbers 1, 2 and 3 shall have a maximum ridge height of 6 metres to the front elevation and Unit number 3 shall have a half hipped gable profile,
  - (b) the first floor front bedroom window of Unit number 6 shall have opaque glazing to 1.8 metres above finished floor level or higher only, and the walk-in wardrobe for the first floor bedroom shall be omitted from the development and its window shall serve the first floor bedroom. The dimensions of the window opens shall be amended accordingly,
  - (c) rooflights on the rear roof plane of Units numbers 4, 5 and 6 shall have obscure glazing,
  - (d) all proposed boundaries between gardens shall comprise a two metres solid blockwork wall, suitably capped and rendered, and timber panel fencing shall not be used,
  - (e) the proposed timber sheeted gate to side of Unit numbers 2 and 3 shall be of a more durable metal sheeting, and
  - (f) a durable shelter shall be provided over the proposed bicycle bays.

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 interest of visual and residential amenity.

3. The proposed access road shall be designed and finished as a shared surface access way in accordance with DMURS. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity.

4. No dormer windows shall be provided on Units number 1, 2 or 3 and the attic space shall be used for storage purposes only.

**Reason:** In the interest of residential amenity and clarity.

5. 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.

6. All boundary walls shall be suitably capped and rendered.

**Reason:** In the interest of visual amenity.

7. Access and parking arrangements, including public lighting, shall comply with the detailed standards of the planning authority for such works.

**Reason:** In the interest of amenity and of traffic safety.

8.
  - (1) All residential units shall be used as single residential units.
  - (2) At least one car parking space shall be permanently assigned to each residential unit and shall be solely reserved for this purpose.

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

9. 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.

10. Site development and building works shall be carried out only between the hours of 0700 and 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.

11. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

12. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement for the proposed name.

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential area.

13. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of amenity and public safety.

15. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

16. The applicant shall comply with all requirements of the planning authority in relation to landscaping, planting, works to existing trees overhanging the site and boundary treatments. The subject landscaping scheme shall be carried within the first planning season following substantial completion of each phase of the external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

18. 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 an 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.

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

**Dated this            day of            2017.**