

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 4267/16

An Bord Pleanála Reference Number: PL 29S.248120

APPEAL by Mark Puech and Joyce Hickey care of RD Architecture of 17 Norwood, Killiney, County Dublin against the decision made on the 7th day of February, 2017 by Dublin City Council in relation to an application for permission for widening vehicular entrance, conversion of attic to study/den to include building of side gable wall to form Dutch hip roof, demolish chimney, rooflights to front and side and dormer rooflight to rear at 19 Fortfield Terrace, Rathmines, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for widening vehicular entrance and to refuse permission for the extensions to the dwelling):

DECISION

GRANT permission for the proposed widening of the vehicular entrance 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 proposed extension 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 land use zoning of the site, to the residential character of the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development, that is, the widening of the existing vehicular entrance, would not seriously injure the residential amenities of surrounding dwellings or the visual amenities of the area. 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 received by An Bord Pleanála on the 3rd day of March, 2017, 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 design of the proposed vehicular access shall be amended as follows:
 - (a) The vehicular entrance shall not exceed 3.6 metres in width and shall not have outward opening gates.
 - (b) The relocated gate pillar shall match that of the existing.
 - (c) The footpath and kerb shall be dished at the access and the widened entrance provided in accordance with the requirements of the planning authority.

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 interests of pedestrian safety 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.

4. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

REASONS AND CONSIDERATIONS (2)

Having regard to the fact that the proposal forms part of a semi-detached pair, and to the predominance of hipped roofs in this part of Fortfield Terrace, the Board is concerned that the proposed extension, both of itself and because of the precedent which it would form, would lead to a visually obtrusive and unsatisfactory form of development. The proposed development would, therefore, seriously injure the visual amenity of the area and of properties in the vicinity, would not be in accordance with planning policy relative to extensions and alterations including, Sections 16.2.2.3 and 16.10.12 and Appendix 17 (Guidelines for Residential Development) of the Dublin City Development Plan 2016-2022 and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017.