



An
Bord
Pleanála

Board Order

PL 29N.248225

Planning and Development Acts 2000 to 2016

Planning Authority: Dublin City

Planning Register Reference Number: 4372/16

Appeal by Eileen Mulqueen care of Pierce and Associates Architects of 104 Francis Street, Dublin against the decision made on the 21st day of February, 2017 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The conversion of existing two storey extension with single storey to the rear constructed to the side of original dwelling as approved under planning register reference number 2507/03 to a self-contained one bedroom two storey dwelling with access from gable and the alteration of the front garden to provide an additional car parking space at 15 Glenbeigh Road, 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 zoning, nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with existing development within the area, would be acceptable in terms of visual impact and traffic safety, and would not seriously injure the residential amenities of the area or of property in the vicinity. 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 to An Bord Pleanála on the 20th 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 first floor plan and elevation shall be revised as follows:
 - (i) The study area shall be omitted and incorporated into either the bathroom or the bedroom.
 - (ii) The rear window serving the bathroom shall be permanently fitted with obscure glazing.

Reason: To ensure compliance with standards and that the development is for a single bed unit.

3. This permission is for an independent one-bedroom property and the internal layout shall not be altered to provide additional bedroom accommodation without a grant of planning permission.

Reason: In the interest of clarity.

4. The shed structure shall be removed from the garden prior to occupancy of the new independent dwelling and the area shall be incorporated into the private open space.

Reason: To ensure an adequate provision of private open space.

5. The vehicular access shall remain unaltered. A pedestrian gate may be provided in the boundary fronting the proposed dwelling. Details of the boundary treatment for the existing and proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and orderly development.

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 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.

