



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 4157/16

Appeal by Ciaran and Kathleen O'Donohoe of 50 Mount Prospect Avenue, Clontarf, Dublin and by Eimear Brady and Niall Brereton care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 21st day of April, 2017 by Dublin City Council to grant subject to conditions a permission to the said Eimear Brady and Niall Brereton in accordance with plans and particulars lodged with the said Council:

Proposed Development: (i) Construction of a part single, part two-storey, four-bedroom, contemporary style, detached dwelling, with part flat roof and part mono-pitch roof, and roof lights; (ii) Formation of a new vehicular entrance on Mount Prospect Park, together with new sliding entrance gate; (iii) off-street car parking; private amenity space, boundary treatment, landscaping, SUDs drainage and all ancillary works necessary to facilitate the development, all on a site to the rear/side of 48 Mount Prospect Avenue, Clontarf, Dublin (a corner property with Mount Prospect Park, Clontarf, 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 land-use zoning of the area, to the nature, scale and design of the proposed development, to the existing pattern of development in the vicinity and to the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with development in 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 further information received by the planning authority on the 27th 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 proposed development shall be amended as follows:
 - (a) All proposed windows at first-floor level on the eastern elevation of the proposed dwelling shall be non-opening and fitted with obscure glazing.

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 order to safeguard the residential amenities of property in the vicinity.

3. Details of the materials, colours and textures of all the external finishes to the 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.

4. 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.

5. 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.

6. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the new house without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of garden space is retained for the benefit of the occupants of the new dwelling.

