



An  
Bord  
Pleanála

**Board Order  
PL 29N.248514**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2306/17**

**Appeal** by Bernadette Dowling and Family of 37 Seafield Avenue, Clontarf, Dublin against the decision made on the 18<sup>th</sup> day of April, 2017 by Dublin City Council to grant subject to conditions a permission to Paul and Anne-Margaret Saunders care of Tyler Owens Architects of Distillery Lofts Design Studios of The Mash House, Distillery Road, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of ground floor extension to rear of existing two-storey semi-detached dwelling and construction of a two-storey extension to the front, side and rear including: attic dormer to rear, canopy to new ground floor element to rear, roof lights, alterations to all elevations, construction of new shed to rear garden, widening of the existing vehicular entrance off Seafield Avenue and all associated works to facilitate the development. All at 39 Seafield Avenue, 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 zoning of the area and the safeguards as set out in the Dublin City Development Plan 2016-2022 for the protection of the residential amenities of existing dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed extension would provide improved residential accommodation, would not seriously injure the residential amenities of adjoining property or the visual amenities of the area and 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, 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 development shall be amended as follows:
  - (a) The proposed 1<sup>st</sup> floor side windows, one facing south and three facing north, shall be permanently fitted with opaque glazing and shall be only capable of being opened above at least 1.8 metres over the finished floor level.
  - (b) The proposed 2<sup>nd</sup> floor northern side roof windows shall be permanently fitted with opaque glazing.
  - (c) The proposed panel in the southern elevation of the master bedroom shall not be glazed or capable of being opened.
  - (d) The ceiling height of the master bedroom shall be no higher than 2.565 metres.

- (e) The proposed dormer's elevations including any rainwater goods, fascia and soffits shall be finished in a dark colour in order to blend with the roof finish.
- (f) The external finish of the front and side (as viewed from the road) of the proposed 1<sup>st</sup> floor extension shall match the existing house in respect of materials and colour, and any rainwater goods, fascia and soffits shall be finished in a dark colour in order to blend with the roof finish.

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 residential and visual amenity.

- 3. No flat roofed area shall be used or accessed as a roof garden or patio.

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

- 4. The shed shall be used solely for purposes incidental to the enjoyment of the dwelling as such.

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

- 5. Water supply and drainage arrangements, including the attenuation and 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.

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.

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

**Dated this      day of                      2017**