



An
Bord
Pleanála

**Board Order
PL 29S.248576**

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2421/17

Appeal by David Lawlor and Mary Cryan and others care of Diarmuid Ó'Gráda of 16 Louvain, Roebuck Road, Dublin against the decision made on the 28th day of April, 2017 by Dublin City Council to grant subject to conditions a permission to Ciarán Cassidy care of Optimise Design of 34 Fitzwilliam Street Upper, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of two-storey side extension with hip roof to match existing including two number opaque windows to the front elevation, alterations to two number existing window opes and addition of one umber window to the existing front elevation, single storey extension to the rear with flat roof and parapet, one number roof light, attic conversion with dormer housing two number windows to the rear elevation, one number light to the north east elevation, widening of existing vehicular access, internal modifications and all ancillary works, all at 20 Auburn Avenue, Donnybrook, 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, the nature and scale of the proposed development and the pattern of existing development in the vicinity, together with the submissions made in connection with the planning application and the appeal, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design and scale and would not seriously injure the residential amenities of existing adjacent properties, 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.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the impacts on the residential amenities of the adjacent properties could be addressed by the modifications to the development required under the condition number 2 of the Board Order. The Board did not concur with the Inspector in relation to the visual impact of the proposed two-storey side extension which it considered to be acceptable in the context of this location.

Conditions

1. The proposed 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 proposed development shall be amended as follows:
 - (a) the proposed dormer window shall be omitted and may be replaced by rooflights which shall be located on the rear roof slope not less than 1.6 meters above the finished floor level of the converted attic,
 - (b) the maximum height of the parapet for the single storey extension shall be 3.2 metres, and
 - (c) the vehicular entrance shall be no more than 2.6 metres in width and shall provide for appropriate kerbs and dishing of the footpath.

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 visual and residential amenity.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 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

5. 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.

6. The external finishes of the proposed extension, including roof, shall be the same as those of the existing dwelling in respect of colour and texture. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

