



An
Bord
Pleanála

Board Order PL 29S.248687

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1072/17

Appeal by Brendan and Claire Hickey care of Fenton Associates of Unit 13, The Seapoint Building, 44-45 Clontarf Road, Dublin against the decision made on the 23rd day of May, 2017 by Dublin City Council to grant subject to conditions a permission to Ronan and Tracey Stafford care of DMFV Architects of 276-278 Rathmines Road Lower, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of three single storey extensions (37.3 square metres, 17.6 square metres and 3.9 square metres) to the side and rear and one porch (6.3 square metres) to the front of an existing semi-detached three-storey dwelling (two storeys and attic level) and the subsequent construction of a part two-storey (single storey with mezzanine), part single storey extension (128 square metres) to the side and several new rooflights, internal modifications to existing house, modifications of existing window and door opes to rear of existing house, in-filling of existing window ope to side of existing house, four number new rooflights to the existing roof to the rear, new photovoltaic panels to the roof to the rear, the widening and set back of the existing vehicular access gateway and new gates and associated site works. All at Merlyn, 4 Sydney Parade Avenue, Sandymount, 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 Z2 residential zoning objective for the area, the policies and objectives of the Dublin City Development Plan 2016-2022, the pattern of development along Sydney Parade and the location and design of the proposed dwelling, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity or have a negative impact on the character and setting of a conservation 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, 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:

The height of the extension shall be reduced by 1.8 metres for a distance of seven metres from the rear (north-western) building line of the proposed side extension. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

3. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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. 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.

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

Dated this day of 2017