



An
Bord
Pleanála

Board Order PL 29N.249135

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3109/17

Appeal by John Dowling of 1 Haddon Park, Clontarf, Dublin against the decision made on the 2nd day of August, 2017 by Dublin City Council to grant subject to conditions a permission to Hugh and Rosalind Doyle care of Horan Architectural Design Limited of 1 Ringwood Centre, Damastown Close, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Demolition of single storey rear garden sheds and part boundary walls located within or forming part of the site curtilage of a protected structure (RPS number 1927, a house at 79 Clontarf Road, Dublin), (2) construction of a two-storey mews four bedroom dwellinghouse with access from existing laneway to rear off Seaview Avenue North and associated site works and utility services, new mews parking, laneway widening and access/off laneway for pedestrian/parking to rear of existing dwellinghouse; all at 79 Clontarf 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 character of the area, the zoning and other objectives of the planning authority, as set out in the current Development Plan for the area to encourage mews type development on suitable sites, it is considered that this laneway is suitable for such development and the proposed development would not inhibit further development in the area, would not seriously injure residential amenities of adjoining properties, would comprise the sustainable development of an underutilised site 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 hereby approved shall incorporate the following amendments.
 - (a) The proposed projecting bay at first floor level on the front elevation shall be omitted and the first floor wall along this elevation shall be uniform throughout its width and the central window on this elevation shall be reduced to the same dimensions as those on either side.
 - (b) The dwelling shall be finished uniformly in textured red brick to at least the front and side elevations; roofed with non-profiled black or blue-black slates or tiles; with all rain water goods, fascias, soffits, soil vent pipes to be finished in a dark colour to match the roof finishes; all cills shall be double-thick as shown; any metre access door panel shall be coloured to match its host elevation.
 - (c) The proposed rear south-west corner first floor bedroom shall be omitted and this area used solely for storage.
 - (d) The front parking area and side driveway forward of the front building line of the proposed dwelling shall be similarly landscaped as the parking area to the front of Numbers 77 and 78 Seaview Avenue North.

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

3. Water supply and drainage arrangements, including the disposal of surface water, shall be in accordance with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

4. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

5. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between the hours of 0800 and 1400 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 amenities of property in the vicinity.

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 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.

