



An
Bord
Pleanála

Board Order
PL 29S.249328

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3392/17

Appeal by Crackleford Limited care of Fenton Associates of Unit 13, The Seapoint Building, 44-45 Clontarf Road, Dublin against the decision made on the 5th day of September, 2017 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Construction of a three bedroom two storey mews dwelling with one number on site under-croft parking space and all ancillary site development works. Pedestrian/vehicular access is to be from Grantham Place, all at 39 Harrington Street (a protected structure) and fronting onto Grantham Place Lane, Dublin. The proposed development is located within the curtilage of a protected structure (Dublin City Council RPS Reference 3610).

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 Z1 residential zoning objective associated with the site together with the pattern of development in the immediate area including the development of similar type mews dwellings on adjacent sites, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. 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. Details of materials, colours and textures of all external finishes to the proposed mews dwelling shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

3. 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.

4. Details of all boundary treatments including where appropriate and the retention of existing boundary walls, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

5. All water closets, bathrooms and en-suite windows shall be fitted and permanently maintained with obscured glazing.

Reason: In the interest of residential amenity.

6. The attic space within the proposed mews dwelling shall not be used for human habitation and shall only be used for storage purposes.

Reason: In the interest of orderly development.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity

8. 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 house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

9. 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 the surrounding area.

