



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1372/17

Appeal by Michael and Deirdre Somers of 51 Eglinton Road, Donnybrook, Dublin and by Paul and Sylvia Kiernan of 49 Eglinton Road, Donnybrook, Dublin against the decision made on the 12th day of September, 2017 by Dublin City Council to grant subject to conditions a permission to Mark and Amanda Collins care of Chris Boyle Architecture of 3 Kilcolman Court, Glenageary, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a two-storey extension to the rear with rendered walls and part timber cladding, a flat roof with parapet walls including rooflights, and a staircase with privacy screen to the side connecting the ground floor level to the garden with associated site works, all at 53 Eglinton Road, 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 nature, scale, design and location of the proposed development, within the context of the surrounding existing development, it is considered that proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of property in the vicinity, would be consistent with the zoning objective pertaining to the site, Z2 - 'To protect and/or improve amenities of residential conservation areas', and would 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 the proposed screen to the east side of the proposed external staircase shall be submitted to and agreed in writing with the planning authority. At ground floor level (that is, above basement floor level), the proposed screen shall comprise a louvred design oriented to avoid views over the neighbouring property to the east, number 51 Eglinton Road. The screen shall be maintained permanently in place.

Reason: To protected the amenities of neighbouring property from excessive overlooking.

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. 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: To safeguard the residential amenities of property in the vicinity.

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 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 2018