



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1021/18

Appeal by Aoife Davey care of James McInerney of 8 Rochford Park, Kill, Naas, County Kildare against the decision made on the 13th day of March, 2018 by Dublin City Council to refuse permission to the said Aoife Davey for development comprising retention and completion of a vehicular entrance and provision of two number private off-street car parking spaces to existing front garden and permission for dishing of public footpath, including permission for roof extension to the rear with flat roof raised 500 millimetres over existing rear roof ridge to allow for extended second/attic floor accommodation with two velux windows to existing mid-terrace house and alterations to elevations and internal layout and all associated site development works at number 23 Howth Road, Clontarf, Dublin in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for retention and completion of a vehicular entrance and provision of two number private off-street car parking spaces to existing front garden and permission for dishing of public footpath in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for roof extension to the rear with flat roof raised 500 millimetres

over existing rear roof ridge to allow for extended second/attic floor accommodation with two velux windows to existing mid-terrace house and alterations to elevations and internal layout and all associated site development works based on the reasons and considerations marked (2) under

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 (1)

Having regard to the existing character and the prevailing pattern of development in the vicinity, including nearby vehicular entrances, and having regard to the provisions of the Dublin City Development Plan 2016 - 2022, it is considered that, subject to compliance with the conditions set out below, the front layout and access elements of the development for which retention and completion is sought would not seriously injure the visual amenities or the character of the conservation area, would be in accordance with Policy CHC8 of the Development Plan, which aims to facilitate off-street parking where appropriate site conditions exist, and would be acceptable in terms of pedestrian and traffic safety, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, retained 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 roof extension shall be omitted from the proposed development.

Reason: In the interest of clarity, and for the reasons and considerations set out in the accompanying refusal of permission for this element of the overall development.

3. The development for retention and completion shall be amended as follows:

- (a) parking space(s) shall be not less than three by five metres;
- (b) over 50 per cent soft landscaping shall be provided within the front garden area;
- (c) the proposed vehicular entrance shall not be greater than 2.6 metres in width;

- (d) the boundary treatments shall comprise of railings on a plinth to match the original boundary treatment that was removed;
- (e) outward opening gates shall not be provided; and
- (f) permeable materials shall be used for the proposed parking areas.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to re-commencement of development.

Reason: In the interests of pedestrian and traffic safety and the visual amenities of the area.

4. Site development and building works shall be carried out between the hours of 1000 and 1600 Mondays to Fridays inclusive, between 1000 and 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, and in the interest of pedestrian and traffic safety, having regard to the location of the site adjoining a clearway.

Reasons and Considerations (2)

Having regard to the location of the site within an area zoned Z2 – “to protect and improve the amenities of residential conservation areas” in the Dublin City Development Plan 2016 - 2022, to the pattern of development in the vicinity and to the architectural character of the subject property and adjoining properties, it is considered that the proposed attic extension, by reason of its scale, design and height, projecting above the ridge level of the existing roof, would be visually obtrusive and impact negatively on the visual amenity of the area, in this visually sensitive conservation area. The proposed development would, therefore, be contrary to the requirements of the Development Plan, in particular section 16.10.18, policy CHc4 and the zoning objective, and would be contrary to the proper planning and sustainable development of the area.

Philip Jones

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

Dated this day of 2018.