



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2201/18

Appeal by Tristan Nagle care of Lawrence and Long of 23 Mespil Road, Dublin against the decision made on the 27th day of March, 2018 by Dublin City Council to grant subject to conditions a permission to Brian and Caroline Loo care of OC Architects and Design of 67 Ranelagh Village, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission is sought for the construction of a single and two-storey extension to the rear, side and front of the existing house, new entrance canopy, conversion of the existing garage, conversion of the attic space with a new dormer window and one number new rooflight to the rear slope of the main house, 2 no. new rooflights to the proposed single storey extension, associated elevational changes and all associated site works, all at 20 Durham 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 Dublin City Development Plan 2016-2022 it is considered that the proposed development, subject to compliance with the conditions set out below, would comply with the zoning objective for the site and would not seriously injure the visual and residential amenities of the area and would not seriously injure the residential amenities of adjacent properties. No appropriate assessment issues would arise. The proposal 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 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 external finishes of the proposed extension (including roof tiles / slates) shall be the same as those of the existing dwelling in respect of colour and texture.

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. 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 Part 1 of Schedule 2 to those Regulations shall be erected within the rear garden area, without a prior grant of planning permission.

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

5. Site development and building works shall be carried out only between 0700 hours and 1800 hours Mondays to Fridays, between 0800 hours and 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 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.

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.

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

Dated this day of 2018.