



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 2746/18

Appeal by Rosemary McCarthy care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 7th day of June, 2018 by Dublin City Council to grant subject to conditions a permission to Ian Durham care of Paul Sheehy of 4 Maywood Crescent, Raheny, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Construction of a single-storey extension to the rear of the existing dwelling and (2) widen the existing vehicular access exiting onto Gracefield Avenue, all at 25 Gracefield Avenue, 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 provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. 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. The proposed development shall be amended as follows:
 - (a) The hard surfacing for the car parking shall be amended with parking provided for no more than two vehicles. This area shall be no wider than 5.5 metres, extending from the side boundary with number 27 Gracefield Avenue inward, and the area south of this notional line shall be set out and permanently retained in soft landscaping/planting. Works to carry out this element of the development shall take place no later than eight weeks from the date of this order.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing in advance with, the planning authority.

Reason: In the interest of visual and residential amenity.

3. The new vehicular entrance shall not exceed a maximum width of 3.6 metres. The front boundary shall be fully reinstated with materials and finishes to match the front boundaries of the dwellings in the vicinity. Works to carry out the reinstatement shall take place no later than eight weeks from the date of this order.

Reason: In the interest of visual amenity.

4. The developer shall comply with the following requirements of the planning authority in relation to the vehicular entrance:
 - (a) The new driveway entrance shall not have outward opening gates.

- (b) The footpath and kerb shall be dished and a new/modified entrance shall be provided to the requirements of the planning authority.
- (c) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
- (d) The developer shall be required to comply with the requirements set out in the Code of Practice.

Reason: In the interest of the proper planning and sustainable development of the area.

- 5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

- 6. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0700 to 1800 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 property in the vicinity.

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

Dated this day of 2018.