



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3229/18

Appeal by Liam O'Loughnan of 2 Killeen Road, Ranelagh, Dublin against the decision made on the 3rd day of August, 2018 by Dublin City Council to grant subject to conditions a permission to Walsh Interiors Limited care of Tyndall Architecture and Design of 2 Montague Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a single storey two-bedroom mews dwelling, gross area 102 square metres, to the rear of 47 Dunville Avenue with access via an existing entrance from the laneway off Killeen Road. The proposed development will have four number roof lights, new boundary wall between the proposed mews and Number 47 Dunville Avenue, a landscaped garden and a covered courtyard to the two bedrooms together with associated site and landscape works, all at 47 Dunville Avenue, Ranelagh, Dublin (a Protected Structure).

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 existing pattern of development in the area, and to the Objectives of the Dublin City Development Plan 2016 – 2022 wherein infill development is encouraged, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of adjacent property, would not detract from the character of nearby protected structures (including Number 47 Dunville Avenue), and would not lead to a risk of flooding. 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. 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 and to ensure a satisfactory standard of development.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - (i) Location of the site and materials compounds including area identified for the storage of construction refuse;

- (ii) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (iii) Management of construction traffic;
- (iv) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (v) Arrangements for the carrying out of any repairs to the public road and services necessary as a result of the development, at the expense of the developer.

Reason: In the interests of amenities, public health and safety.

4. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 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.

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.

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

Dated this day of 2019.