



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3332/19.

Appeal by Pat and Jane Maher of 78 Naas Road, Dublin against the decision made on the 16th day of August, 2019 by Dublin City Council to grant subject to conditions a permission to Thomas Horan care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) Retention of the construction of side and rear two-storey extensions to numbers 80 and 82 Naas Road and (ii) planning permission for the following alterations to the existing development: (a) two-metre high dividing wall to rear gardens of numbers 80 and 82 Naas Road, (b) removal of side doors to numbers 80 and 82 Naas Road and provision of two number windows at ground floor level, (c) removal of quoins to front elevation at numbers 80 and 82 Naas Road, (d) dash finish with raised plaster beds to front elevation between front entrance doors and first floor windows to numbers 80 and 82 Naas Road, (e) alterations to internal layouts including the reinstatement of living room and removal of ensuite at ground floor level of number 82 Naas Road and the provision of additional storage space to ground floor level of number 80 Naas Road, (f) reduction in width of vehicular

entrances to numbers 80 and 82 Naas Road to 3.6 metres, (g) provision of car parking, manoeuvring space and landscaped areas to the front of numbers 80 and 82 Naas Road and (h) all associated boundary treatments and site works necessary to facilitate the development. All at 80 and 82 Naas 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 Z1 zoning objective, the policies and objectives of the Dublin City Development Plan 2016-2022, in particular Section 16.10.12 and Appendix 17, residential extensions, the design and layout of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought and the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The development for which retention is sought and 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, completed and retained 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, completed and retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

The additional ground floor windows and the first-floor bedroom windows (excluding the original bay windows) to the front façade shall be revised to reflect the design, height and width of the original first floor over front door window design of the general area and extend to eaves level to match the adjoining dwellings.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of orderly development and the visual amenities of the area.

3. Each dwelling shall be used as a single dwelling unit only.

Reason: To ensure that the development will not be out of character with the existing residential development in the area.

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

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 the 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.

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

Dated this day of 2020.