



An
Bord
Pleanála

Board Order
ABP-307613-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2432/20

Appeal by Mark Taylor care of Jerry Hannigan of 24 Griffith Avenue, Drumcondra, Dublin against the decision made on the 24th day of June, 2020 by Dublin City Council to refuse a permission for the proposed development.

Proposed Development: Development consisting of a new two-storey three bedroom end-of terrace dwelling in the garden to the side of the existing dwelling, together with a boundary wall between the front and rear gardens of the existing and new dwellings, forming a new vehicular entrance for the new dwelling, paving of both front gardens to provide a car parking space for each dwelling and all associated site works on a site at 4 Oak Park Grove, Santry, 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 for the site in the current Development Plan for the area and the design, scale and siting of the proposed development, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the residential amenities of the area or property in the vicinity, would provide adequate levels of private open space, and would generally be acceptable in terms of traffic safety and convenience. 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 external finishes to the proposed dwelling, including colours, materials and textures shall be agreed with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Drainage arrangements, including the attenuation of surface water shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

5. 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.

6. A semi-mature tree shall be planted to compensate for the tree to be removed to provide access to the proposed dwellinghouse. The tree shall be planted in the front verge to number 3 and 4 Oak Park Grove, unless otherwise agreed with the planning authority. Details of the species, size and location of the tree to be provided as compensation shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In order to screen the development and assimilate it into the surrounding landscape and in the interest of visual amenity.

7. 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.

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

Dated this day of 2020