



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2685/20

Appeal by Kathleen and William Doyle of Orchard House, Orchard Road, off Clonliffe Road, Dublin against the decision made on the 10th day of July, 2020 by Dublin City Council to grant subject to conditions a permission to Martin Grehan care of Stephen Molloy Architects of 12 Saint Brigid's Shopping Centre, Main Street, Blanchardstown, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of two number existing single storey domestic garages/outhouses to the rear garden areas of both numbers 50 and 52 Clonliffe Road and the construction of a single new dwelling on the combined rear gardens of both houses. The proposed house will be detached, two storeys in height and with four bedrooms. Off-street parking also for one number car with access from laneway to the rear. Works to include associated site development works and service connections. All at numbers 50 and 52 Clonliffe 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 relevant 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 residential or visual 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 the 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. Obscure glazing shall be provided in the side elevation (south-east) 1st floor bathroom window.

Reason: In the interest of residential amenity.

3. The developer shall comply with the following requirements:
- (a) The gates provided on the driveway entrance shall be inward opening only.
 - (b) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
 - (c) Prior to commencement of development, the developer shall submit details of the footpath serving the proposed development to the planning authority for written agreement.

Reason: To ensure a satisfactory standard of development

4. (a) Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
- (b) The developer shall ensure that an appropriate Flood Risk Assessment, in accordance with the Office of Public Works Guidelines and the Dublin City Development Plan 2016-2022 Strategic Flood Risk Assessment, is carried out for the proposed development.

Reason: In the interest of public health.

5. Prior to the 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.

6. Site development and building works shall be carried out between the hours of 0700 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.

7. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

8. 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.

Dave Walsh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.