



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2648/20

Appeal by Stephen Shannon care of Diarmuid Ó'Gráda of 16 Louvain, Roebuck Road, Dublin and by Elizabeth and Michael Shannon of 99 Mount Prospect Avenue, Clontarf, Dublin against the decision made on the 14th day of August, 2020 by Dublin City Council to grant subject to conditions a permission to Tom and Emer Coghlan care of Tyler Owens Architects of The Mash House, Distillery Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Alterations and extensions to existing property consisting of:- (i) partial demolition of the existing house, including part of pitched roof and existing chimney; (ii) construction of a part single/part two-storey extension over new basement to the side and rear of the existing dwelling. The extension will be of contemporary design and feature a flat roof in part and the reinstatement of the pitched roof and dormer window to the front and side of the existing dwelling; (iii) refurbishment of the existing house; (iv) alterations to all elevations with new fenestration throughout and roof-lights; (v) introduction of light well to the basement to the front of the dwelling; (vi) alterations to private amenity space, including garden; (vii) construction of a single storey garden shed to the rear of the site; and (viii) other works as

part of development include SuDS drainage, landscaping, boundary treatments, widening and alterations to existing vehicular entrance off Mount Prospect Avenue and all associated works necessary to facilitate the development. The development will result in the provision of a four number bedroom semi-detached residential dwelling, all at 97 Mount Prospect Avenue, Clontarf, 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 residential property in the vicinity or the established character of the area or the visual amenities of the area. 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, as amended by the further plans and particulars submitted to the planning authority on the 21st day of July, 2020, 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 reinstated external finish of the front elevation of the dwelling shall match exactly that of the existing finishes and appearance of the house in respect of materials and colour. Roof tiles shall be removed prior to demolition, and shall be retained and reused on the front roof plane. Details of the materials, colours and textures of all other external finishes to the building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The side dormer/first floor extension shall be clad to its front and side walls with vertically hung slates/tiles to match the existing roof finish.

Reason: To protect the visual amenities of the area.

4. The windows of ensuite 1 and ensuite 3 on the first floor on the southern and western elevations respectively shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

5. The flat roofs of the extensions hereby approved shall be accessed for fire escape and maintenance purposes only.

Reason: To protect the amenities of the area.

6. The garden shed shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses or for any use other than as a use incidental to the enjoyment of the dwellinghouse as such, unless authorised by a prior grant of planning permission.

Reason: In the interest of residential amenity.

7. No more than 50% of the front garden shall be laid out for car parking with the remainder of the garden being set out and permanently retained in soft landscaping/planting.

Reason: In the interest of residential amenity

8.
 - (1) The driveway entrance shall not exceed 3.6 metres in width and shall have inward opening gates only.
 - (2) Footpath and kerb shall be dished and a new entrance provided in accordance with the requirements of the planning authority.

- (3) 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.

Reason: To ensure a satisfactory standard of development in the interest of public safety.

9. (1) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
- (2) To minimise the risk of basement flooding, all internal basement drainage shall be lifted, via pumping, to a maximum depth of 1.5 metres below ground level before being discharged by gravity from the site to the public sewer.

Reason: In the interest of public health.

10. Site development and building works shall be carried out between the hours of 0700 to 1800 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.

11. 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.