

An  
Bord  
Pleanála

Board Order  
ABP-309249-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3386/20**

**Appeal** by against the decision made on the 18<sup>th</sup> day of December 2020 by Dublin City Council to grant subject to conditions a permission to Brendan and Janis McLoughlin care of Richard McGrath Architectural Services of 15 Cremore Road, Glasnevin, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission to construct a two-storey extension (247.1 square metres) to the rear and side of existing detached bungalow to incorporate kitchen/dining/living area, utility room, wc and family room at ground floor with four bedrooms at first floor also to widen existing vehicular entrance to front garden from 2.7 metres to 3.6 metres wide and to provide a new separate pedestrian entrance to front boundary, also retention of Velux rooflight to front elevation to existing dwelling and all associated site works at 132 Castle 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. 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 on the 23<sup>rd</sup> day of November 2020, and by the further plans and particulars received by An Bord Pleanála on the 24<sup>th</sup> day of February 2021. 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 rear extension hereby approved shall be modified as follows:
  - (a) The rear extension shall be developed with a flat-parapet roof of maximum height 5.86 metres as shown on Drawing Number: 01/2 received by the planning authority on the 15<sup>th</sup> day of September 2020.
  - (b) The extension shall be reduced by omitting Bedroom 6 and the ensuite to Bedroom 5 and the floor area directly below them at ground floor level, along with floor area of the kitchen below its rooflight.
  - (c) The first-floor window to Bedroom 4 in the extension shall be recessed into the bay element of the first-floor front elevation.

- (d) Any rear first floor window to Bedroom 5 shall be comprised of an oriel window and shall be redirected in a south east direction as shown on Drawing Number 01/1 received by the planning authority on the 23<sup>rd</sup> day of November 2020
- (e) The internal layout shall be amended as required.

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

**Reason:** In the interests of residential and visual amenity.

- 3. Details of the materials, colours and textures of all the external finishes including samples shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

- 4. The development shall comply with the following requirements:
  - (a) The vehicular entrance shall have a maximum width of 3 metres and the entrance piers on either side of the vehicular entrance are to be reinstated to a maximum height of 1.5 metres.
  - (b) The footpath and kerb onto Castle Avenue are to be dished and the modified entrance is to be provided to the requirements of the planning authority.

- (c) All costs incurred by the planning authority, 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:** In the interest of orderly development and traffic safety.

5. No flat roofed area shall be used or accessed as a roof garden/patio.

**Reason:** In the interest of clarity.

6. 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.

**Reason:** In the interest of public health.

7. 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.

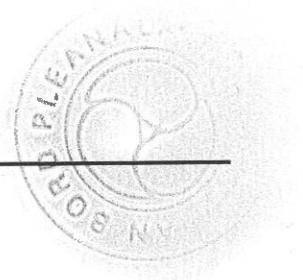
**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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 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 12<sup>th</sup> day of May 2021