

An
Bord
Pleanála

Board Order
ABP-309369-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1767/20

Appeal by Darragh and Julie Anne Mulligan of 1 Furry Park Road, Clontarf East, Dublin against the decision made on the 7th day of January, 2021 by Dublin City Council to grant subject to conditions a permission to Charles Cosgrave care of Declan Scullion of 10 Herbert Street, Grand Canal Dock, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: A single-storey extension of the existing veterinary clinic to the side and rear with rooflights, replacement of existing windows and doors to front and side, application of external insulated render and raising existing parapet 50 centimetres and associated landscaping and drainage works at 1a Furry Park Road, Clontarf East, 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 established veterinary clinic on site and the relatively minor nature of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously inure the residential amenities of the area, would not be prejudicial to public health and would 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 operational hours of the proposed veterinary clinic shall be the same as the existing operation hours associated with the veterinary clinic. Any alterations to the opening hours of the veterinary clinic shall be the subject of a separate planning permission.

Reason: In the interest of the protection of residential amenity.

3. Water supply and drainage arrangements, including the attenuation and 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.

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

Reason: In the interest of public health.

5. 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.

6. The flat roof of the proposed development shall not be used for recreational purposes and shall be accessible for maintenance purposes only.

Reason: In the interest of the protection of residential amenity.

7. No advertisement or advertisement structure shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building unless authorised by a further grant of planning permission.

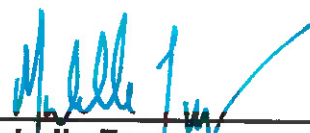
Reason: In the interest of visual amenity.

8. All trees shown to be retained on site shall be adequately protected during the period of construction. Such measures to include a protection fence beyond the branch spread. Details in this regard shall be agreed in writing with the planning authority prior to commencement of development. Any trees damaged that are required to be replaced shall be replaced within one year of the completion of the development.

Reason: In the interests of amenity, ecology and sustainable development.

9. 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.



Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this **5th** day of **May** 2021.

