

An
Bord
Pleanála

Board Order
ABP-309971-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2097/21

Appeal by Helvar Management Limited care of Brian M. Harpur of 25 Newtownpark Avenue, Blackrock, County Dublin against the decision made on the 23rd day of March, 2021 by Dublin City Council to grant subject to conditions a permission to Veronica and David Reichental care of Dermot Bannon Architects Limited of 16 The Seapoint Building, 44/45 Clontarf Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: (A) Provision of one number single storey extension to the side and rear of the existing residence. (B) Works to the side boundary. (C) Alterations to the existing ground floor rear elevations. (D) Provision of a new pedestrian gate to access the existing rear garden from Orwell Woods. (F) Removal and replacement of the existing garden shed, and (E) all associated site works at 47, Orwell Park, 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

The Board considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of properties in the area. The proposed development would be in accordance with the Z12 - Institutional Land (Future Development Potential) zoning objective set out in the Dublin City Development Plan 2016-22 and 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 proposed development shall be amended as follows:
 - (a) The proposed extension shall be setback a distance of one metre, from the existing side boundary with Orwell Woods.
 - (b) The existing boundary wall and pillars along Orwell Woods shall be retained apart from the section required to facilitate the pedestrian entrance.

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 visual and residential amenity.

3. 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.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 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.

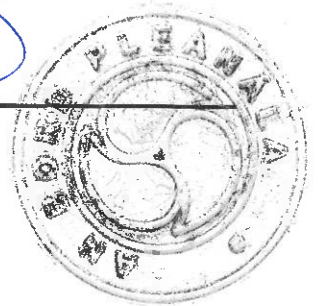
5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.



Paul Hyde

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



Dated this 29th day of June 2021