



An
Bord
Pleanála

Board Order
ABP-310058-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1141/21.

Appeal by Stephen O'Toole of 220A Swords Road, Santry, Dublin against the decision made on the 14th day of April, 2021 by Dublin City Council to refuse a permission to the said Stephen O'Toole for the proposed development.

Proposed Development: Modifications to the previously approved unbuilt three bedroom two-storey detached house per planning register reference number 2374/13 (and the subsequent extension of duration of permission per application number 2374/13X1) to provide one number four bedroom two-storey detached house on a larger footprint and increasing the gross floor area from 112 to 152 square metres with attic conversion including a rear dormer roof and two front rooflights. The level of the roof is being raised and attic storage is being converted to additional/fourth bedroom, and all associated works, all at site adjoining 40, Edenmore Avenue, Edenmore, Raheny, 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 residential zoning objective for the area, to the pattern of development in the area and to the extant permission for the development of a house on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity, 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 proposed development shall be amended as follows:
 - (a) the roof ridge height shall be a maximum of 7.55 metres above ground level and the front roof slope shall match that of the existing terrace of dwellings to the north-west at numbers 34-40 Edenmore Avenue,
 - (b) the proposed dormer to the rear roof slope and rooflights to the front roof slope shall be omitted from the proposed development,
 - (c) the proposed mono-pitch roof over the TV room and bedroom section of the proposed development shall be omitted and replaced with a pitched roof with a matching eaves height to that of the main part of the proposed dwelling.

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 interest of visual amenity.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Part 1 of Schedule 2 to those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

4. The development shall comply with all other relevant conditions attaching to the permission granted under planning register reference number 2374/13 (as extended under planning register reference number 2374/13/X1).

Reason: In the interest of clarity.

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.



Terry Prendergast

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



Dated this 5th day of July 2021.