



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1846/20

Appeal by Niall Gormley and Josephine Reilly of 80 Chancery Street, Smithfield, Dublin and by Rita Hogan of 53 Arran Street East, Dublin against the decision made on the 30th day of April, 2021 by Dublin City Council to grant subject to conditions a permission to Myles Pollard care of O'Donnell Surveying of 52 The Old Distillery, Anne Street North, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing single storey rear extension. Construction of part single part double storey rear extension with flat roof and brick finish to match existing. Metal clad dormer to the rear roof façade. Internal modifications with all ancillary works at 52 Arran Street East, Smithfield, 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 site is zoned to protect and/or improve the amenity of residential conservation areas in the Dublin City Development Plan 2016-2022. Having regard to the pattern of development in the area, the modest height and scale of the proposed development and subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the residential amenity of property in the vicinity by reason of overlooking and overshadowing, would be in accordance with the zoning objective for the area 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, as amended by the further plans and particulars submitted on the 6th day of April, 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health.

3. Site development and building works shall be carried out only between the hours of 0800 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.



Michelle Fagan

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



Dated this 28th day of August 2021.