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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1150/21**

**Appeal** by Marie Colgan of 4 Cremore Road, Glasnevin, Dublin against the decision made on the 19<sup>th</sup> day of May, 2021 by Dublin City Council to grant subject to conditions a permission to Martina McCarthy and Stephen Scott of 2 Cremore Road, Glasnevin, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of an existing rear single storey utility room, lean to boiler room and the existing rear single storey kitchen extension comprising a combined total of 25 square metres and to erect a new single storey extension to the rear and part (east) side elevation at ground floor to provide a total of 45 square metres of floor area providing a net increase of 20 square metres at ground floor, a new rear first floor extension comprising 14 square metres, the removal of a length of five metres of existing railings to the side elevation to accommodate the new side extension and the raising of the rear east garden wall in part to enable the formation of a new gated entrance to the rear garden to the existing east garden wall at 2 Cremore Road (on the corner with Cremore Park), Glasnevin, Dublin.

## **Decision**

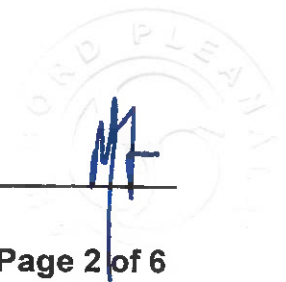
**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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**

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area, would not be prejudicial to public health or public safety or adversely affect the environment, including archaeological resources, would not give rise to a traffic hazard and would 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 received by the planning authority on the 22<sup>nd</sup> 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. Details of the materials, colours and textures of all the external finishes to the proposed development, 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. There shall be no use of or access to the flat roofs except for maintenance purposes.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

4. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –
- (a) notify the planning authority in writing at least four weeks prior to the commencement of site operations including demolition works and excavations relating to the proposed development,
  - (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. Site development and building works shall be carried only out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 hours 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.

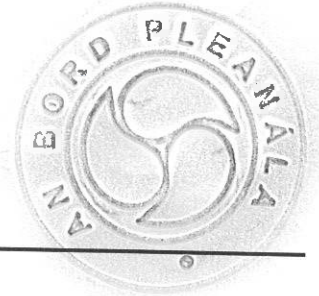
**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk, shall comply with the requirements of the planning authority for such works and services.

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

7. 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 21<sup>st</sup> day of September 2021