

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1362/21

Appeal by Gerard Curtis of Cakestown, Kells, County Meath and by Achim Gottstein and Catriona Duggan and others of 56 Oaklands Park, Sandymount, Dublin against the decision made on the 28th day of May, 2021 by Dublin City Council to grant subject to conditions a permission to Rob Marshall care of Bright Design Architects of 4 Seafield Park, Booterstown, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing single storey extension to the side, chimney to the rear, and partial demolition of existing shed to the rear. Proposed new single storey extension to the side and rear including two number new rooflights to the rear. Attic conversion and one number new dormer window and one number new rooflight in existing roof to the rear and all associated site, drainage and landscaping works at 11 Holyrood Park, Dublin.

Decision

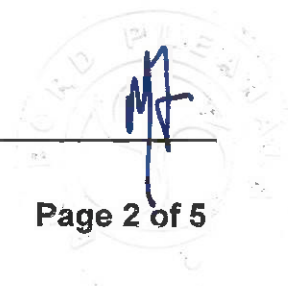
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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

Having regard to the Dublin City Development Plan 2016-2022 according to which the site is located within an area subject to the zoning objective Z2: “to protect and/or improve the amenities of residential conservation areas”, 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 by reason of overdevelopment, overbearing impact or overlooking or the visual amenities and architectural character of 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 lodged with An Bord Pleanála on the 21st day of July 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.

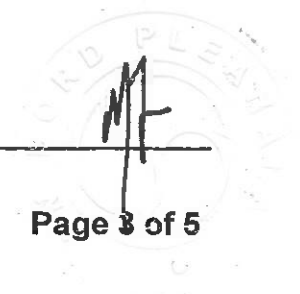
Reason: In the interest of clarity.

2. A two metres high block wall shall be erected either on the inner side of the existing fencing on the rear garden party boundary with the adjoining property at number 10 Holyrood Park. Prior to the commencement of the development, the developer shall submit a revised plan and elevation drawings, for the written agreement of the planning authority.

Reason: In the interests of visual and residential amenity and orderly development.

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 interests of public health and clarity.



4. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

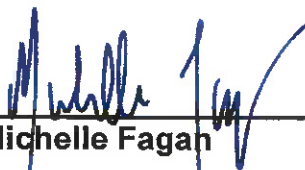
Reason: In the interest of public health.

5. 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. A light-coloured brick finish shall be used for the elevation to the northeast facing Oaklands Park.

Reason: In the interests of visual amenity and clarity.

6. 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 14th day of December 2021.