

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3018/21

Appeal by Christine Grange care of Gerry Eustace of Barns Road, Beabeg, Drogheda, County Meath against the decision made on the 17th day of August, 2021 by Dublin City Council in relation to an application for permission for development comprising part demolition of existing extension and outbuildings, erection of a new two-storey extension, extension of the existing front porch to include a new bay window, construction of a self-contained granny flat to the rear garden and widening of the front driveway entrance and all associated site works at 30 Oak Park Avenue, Santry, Dublin in accordance with the plans and particulars lodged with the said Council, (which decision was to grant subject to conditions a permission for part demolition of existing extension and outbuildings, erection of a new two-storey extension, extension of the existing front porch to include a new bay window, widening of the front driveway entrance and all associated site works, and to refuse permission for construction of a self-contained granny flat to the rear garden).

Decision

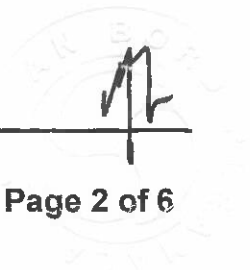
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 land use zoning of the site, to the prevailing pattern and character of existing development in the vicinity and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. 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, as amended by the further plans and particulars received by An Bord Pleanála on the 13th day of September 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 with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

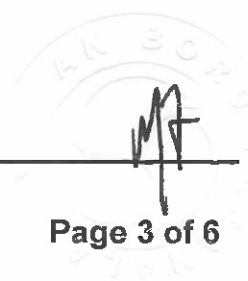
Reason: In the interest of clarity.

2. The proposed granny flat shall be connected internally to the main dwelling as set out on drawing number 19-03-2021"1A" submitted to the Board on the 13th day of September 2021.

Reason: In the interest of clarity.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

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



4. The proposed granny flat shall be used solely for that purpose and shall revert to use as part of the main dwelling on the cessation of such use. The granny flat shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To protect the amenities of property in the vicinity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. The external finishes of the proposed extension and granny flat shall be the same as those of the existing dwelling in respect of colour and texture.

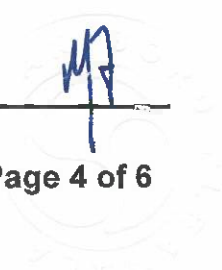
Reason: In the interest of visual amenity.

7. The vehicular entrance shall not have outward opening gates.

Reason: In the interests of traffic and pedestrian safety.

8. The footpath and kerb shall be dished in accordance with the requirements of the planning authority.

Reason: In the interest of orderly development.



9. All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In the interest of orderly development.

10. 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.

11. 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.

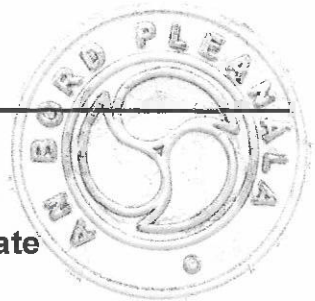
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 25th day of March 2022.