

An
Bord
Pleanála

Board Order
ABP-311400-21

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3026/21

Appeal by the Residents of 14-20 Summerville care of Brennan Furlong Architects and Urban Planners of 2 Vernon Avenue, Clontarf, Dublin against the decision made on the 19th day of August, 2021 by Dublin City Council to grant subject to conditions a permission to Shane and Rebekah Dalton care of Daniel O'Driscoll of 15 Seapoint Building, 44/45 Clontarf Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for the following: (i) partial demolition of the existing garage and demolition of garage to the side and rear; (ii) construction of a two-storey, three bedroom house (243 square metres) to the rear of the existing dwelling, (iii) the creation of new vehicular entrance and the provision of two car parking spaces, (iv) the subdivision of the rear garden to provide two storage sheds and two areas of private open space for the existing and proposed dwellings. The proposed development also includes reconstruction of side and roof of existing dwelling and all associated site development works including hard and soft landscaping, drainage, attenuation, all at 6 Belgrove Road, Clontarf, Dublin.

Decision

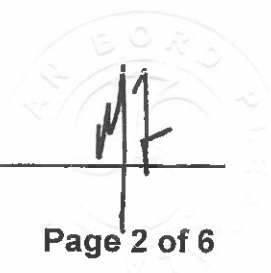
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 pattern and character of development in the area, the design and scale of the proposed development, and the provisions of the Dublin City Council Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenity of surrounding properties, 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 first-floor bathroom window on the north elevation shall be permanently fitted with opaque glazing.

Reason: In the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. 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 interest of public health and to ensure a proper standard of development.

5. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

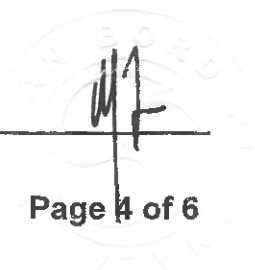
Reason: In the interest of public health.

6. 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 amenities of property in the vicinity.

7. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.



8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

9. The existing perimeter boundary wall and adjoining vegetation shall be retained and protected during construction in accordance with the Proposed Site Plan (drawing number (P)001) submitted to the planning authority with the application.

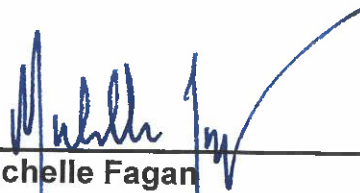
Reason: In order to protect visual and residential amenity.

10. Prior to the commencement of development, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority, pursuant to Section 47 of the Planning and Development Act 2000, as amended, that allows the provision of shared access over the proposed access road to facilitate the potential future development of adjoining lands.

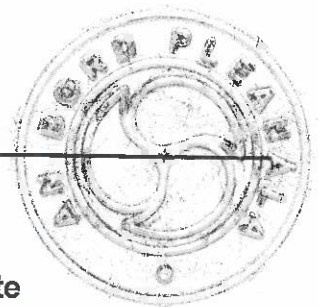
Reason: In the interest of orderly development.

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 the 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 9th day of March 2022.