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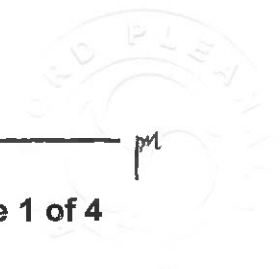
**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1748/21**

**Appeal** by Michelle and Liam Moloughney care of Ryan W. Kennihan Architects of 30 Mountjoy Square, Dublin against the decision made on the 2<sup>nd</sup> day of September, 2021 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** The (1) demolition of the roof, (2) partial demolition of the first floor, rear, side and front walls, (3) construction of new first floor walls with flat roof and extension to the front, rear and side, (4) construction of covered porches to the front and rear, (5) demolition of existing shed and greenhouse, and (6) construction of a new shed and greenhouse and (7) provision of a new pedestrian entrance gate in the front garden wall and associated hard and soft landscaping and ancillary works, all to the existing detached two-storey dwelling at 35 Kincora Road, Clontarf, Dublin.



## **Decision**

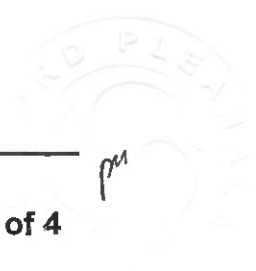
**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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 nature and scale of the proposed development, the provision of an altered dwelling design that is consistent with the scale of dwellings at this suburban location and provides for a good quality contemporary design, it is considered that, subject to compliance with the conditions set out below, the proposed development would be satisfactory in the context of the visual amenities of the area and the amenities of adjoining property. 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 detail of the external finishes on the walls 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. Site development and building works shall be carried out only between the hours of 0700 to 1800 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.

4. 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 traffic management, noise, vibration and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and the amenities of the area.

5. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.



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**Paul Hyde**

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

Dated this 11<sup>th</sup> day of January 2021

