

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3480/21

Appeal by Siobhan Greene of 5 Cowper Mews, Rathmines, Dublin against the decision made on the 3rd day of November, 2021 by Dublin City Council to grant subject to conditions a permission to Ciara Lyster care of Glen Campbell of 2 Saint Mary's Road, Ballsbridge, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for (1) Changes to the design of first floor extension approved under planning application 2318/19 in respect of external finish (changed from zinc cladding to brickwork), window locations and window sizes, (2) changes to the design of second floor extension approved under planning application 2094/20 in respect of external finish (changed from zinc cladding to brickwork), roof pitch, floor area, window locations and window sizes, and (3) all associated works. (4). Retention of change to design of garage approved under planning application 3812/19 in respect of roof design, floor area, door and window layout, and boundary wall treatment all at 1 Cowper Road and Cowper Mews, Rathmines, 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 planning history of the site, and to the nature and extent of the alterations proposed for permission and for permission for retention, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would not seriously injure the residential and visual amenities of the area, would not endanger public safety by reason of 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, retained 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 and the development shall be carried out retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development shall be carried out in accordance with the conditions attached to the prior grants of permission under planning register reference numbers 2094/20, 3812/19 and 2318/19, except as modified to conform with the provisions indicated in the plans and particulars lodged with the application and the following conditions.

Reason: In the interest of clarity.

3. The garage shall be used only for purposes ancillary to the enjoyment of the dwellinghouse as such and shall not be used for any other purposes without a prior grant of planning permission.

Reason: In the interest of orderly development.

4. Site development and building works shall be carried only out between the hours of 0700 to 1800 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.

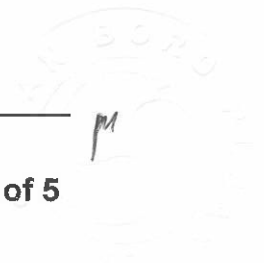
Reason: In order to safeguard the residential amenities of property in the vicinity.

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. Sample panels shall be erected on site for inspection by the planning authority in this regard.

Reason: In the interest of visual amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk including in the basement area, 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 enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

8. 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.

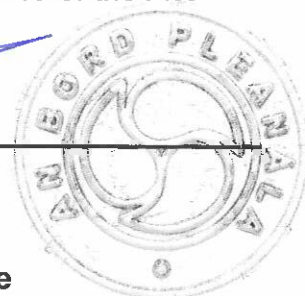
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 7th day of April 2022.