

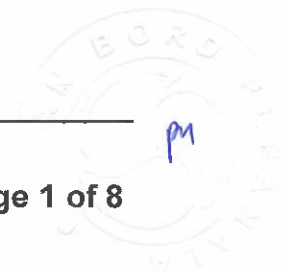
Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2744/21

Appeal by Martin O'Leary of 18 Grace Park Heights, Grace Park Road, Dublin against the decision made on the 16th day of November, 2021 by Dublin City Council to grant subject to conditions a permission to Christopher and Patricia McCormack care of John Henry Architect of 83 Swords Road, Whitehall, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: (A) Demolition of existing side shed. Construction of side/rear single and two-storey attached to existing side two storey extension to form a two-storey dwellinghouse separate from existing house using existing vehicular access, associated internal and external alterations, all associated site development works, service connections, landscaping and boundary treatment. (B) Proposed forming vehicular access driveway to front garden and proposed roof dormer to rear part of roof with associated internal alterations to existing dwellinghouse at 91 Calderwood Road, Drumcondra, Dublin.



Decision

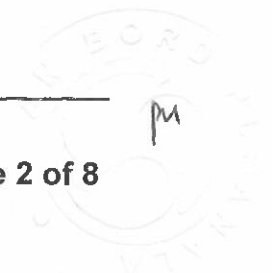
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 zoning objective for the area as set out in the Dublin City Development Plan 2016-2022, the established pattern of development in this serviced suburban area and the nature, scale and design of the proposed part single storey double height extension together with its associated works, 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 parent dwelling or of properties in the vicinity, it would not seriously injure the amenities of nearby dwellings, and it 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 submitted on the 20th day of October, 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. The proposed development shall be amended as follows:
 - (a) The two windows serving the first-floor level landing space to the side extension shall be permanently fitted with opaque glazing.
 - (b) The proposed rear dormer shall have a maximum width of 3.2 metres.
 - (c) All elevations, fascia/soffits, rainwater goods, window frames, and glazing bars of the rear dormer shall be finished in a dark colour so as to blend with the existing roof.
 - (d) The rear dormer shall not accommodate solar panels whether or not they would be exempted development under the Planning and Development Act, 2000, as amended.

Revised drawings, including revised site plans, showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

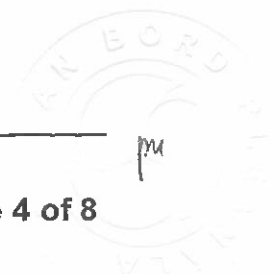
Reason: In the interests of visual and residential amenity.

3. The attic space hereby permitted shall not be used for human habitation unless it complies with building regulations and fire regulations.

Reason: In the interests of an adequate standard of development.

4. The following requirements of the Transportation Planning Division of the planning authority shall be complied with:

- (a) The creation of a new vehicular entrance shall be omitted.
- (b) The existing vehicular entrance shall be widened to a width not exceeding 3.6 metres and shall serve both the existing and proposed dwelling. The vehicular entrance shall not have outward opening gates. Prior to commencement of works, the developer shall submit to and agree in writing with the planning authority revised site plans showing the revised front (east) boundary plan.
- (c) The footpath and kerb to be dished and the entrance provided to the requirements of the planning authority. These works shall not impact on the existing on-street tree located on the public footpath adjacent to the property.



- (d) 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.
- (e) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

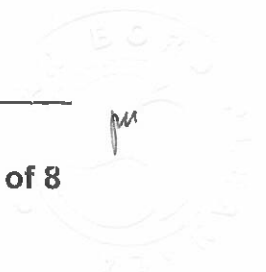
Reason: To ensure a satisfactory standard of development.

- 5. (a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, and including rainwater and guttering details, shall comply with the requirements of the planning authority for such works and services.
- (b) Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. Permeable paving shall be incorporated to the front of the proposed dwelling and the existing dwelling as part of the car parking on-site provision and the existing surface water drainage for adjoining properties shall not be adversely affected by the development hereby permitted.

Reason: In the interest of public health and to ensure orderly disposal of surface water.

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

Reason: In the interest of public health.



7. The flat roof over the proposed extension shall not be used as amenity space and shall only be accessed for maintenance purposes.

Reason: In the interest of residential amenity.

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

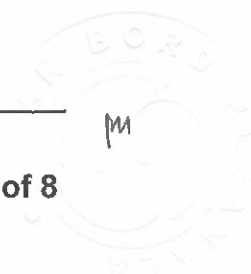
Reason: In the interest of visual amenity.

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

10. 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.



11. 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.

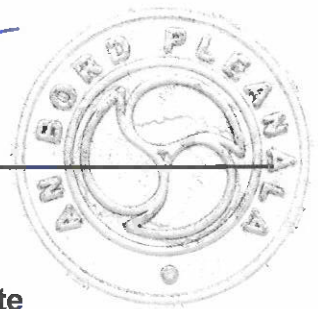
12. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 *8th* day of *April* 2022.