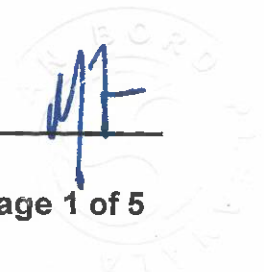


Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1945/21

Appeal by Cormac O'Dalaigh and Dearbhla Nic Aogain care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 15th day of November, 2021 by Dublin City Council in relation to the application by the said Cormac O'Dalaigh and Dearbhla Nic Aogain for permission for development comprising of demolition of existing single storey extension to the rear and for the construction of a single storey ground floor extension and for the conversion of the existing attic to an office/store area and for a dormer to side and rear of existing house and for all associated site works at 52 Dollymount Park, Clontarf, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for the single storey rear extension and to refuse permission for the attic dormers to side and rear).



Decision

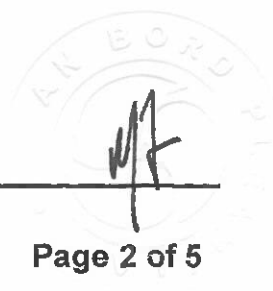
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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 policies and objectives of the Dublin City Development Plan 2016-2022, the location of the site at the end of a cul de sac, the end of terrace nature of the existing house and its form and layout on the site, the design and scale of the extensions proposed, and the pattern of development in the area, it is considered that the proposed extensions would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



In deciding not to accept the Inspector's recommendation to issue a split decision, refusing the roof extensions, the Board had regard to the location of the existing house at the end of the terrace, its stepped plan form and roof configuration, the pattern of existing roof extensions in the area, and the design and form of the proposed roof extensions, and considered that both the proposed side roof extension and the rear roof extension in the context of the existing roof configuration would appear to be visually subordinate to the roof slope, would not be excessive in scale, would not be visually incongruous nor obtrusive, would not detract from the visual appearance of the existing house and the streetscape. 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. Details of the external finishes shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of architectural harmony and visual amenity.

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

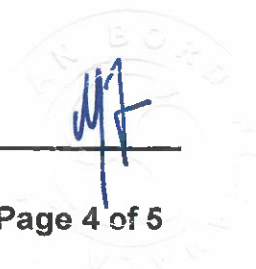
Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0800 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 residential amenities of property in the vicinity.

5. The site development works, and construction works shall be carried out in such a manner as to ensure that the public roads are kept clear of debris, soil, and other materials and if the need arises for cleaning works or repair to be carried out to the same, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining lane and roads are kept in a clean and safe condition during construction works in the interests of orderly development.

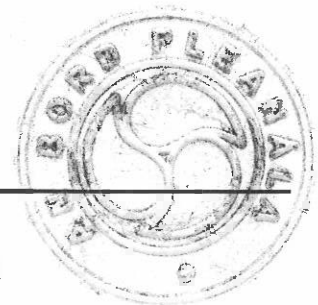


6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 24th day of Mwdh 2022