



Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB/1625/21

Appeal by Colm Treacy and others care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 18th day of November, 2021 by Dublin City Council to grant subject to conditions a permission to Michael Finnegan and Olga Ramos of 266 Clogher Road, Crumlin, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a detached three-storey 105-square metre, two-bedroom dwelling accessed from Clogher Green. The dwelling will consist of; ground floor living area, first floor bedrooms with rear terrace and setback from the southern and eastern boundaries, attic level office and storage area with dormer window. Additional ancillary works include: a new entrance to existing street boundary wall between 1 Clogher Green and 133 Rutland Grove, Dublin, hard and soft landscaping, lighting, site services and all other associated site development works above and below ground, all to the rear of 266 Clogher Road, Crumlin, 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.

Reasons and Considerations

Having regard to the residential land use zoning of the site, the design, nature and scale of the proposed development, the existing pattern of development in the area, and the provisions of the Dublin City Development Plan 2022 - 2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity in terms of overlooking, overbearing or overshadowing impacts 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.

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Conditions

1. The proposed 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 received by the planning authority on the 22nd 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. Prior to commencement of development, details of the materials, colours and textures of all external finishes shall be submitted to, and agreed in writing with, the planning authority.

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

3. The access/egress point to the site shall not exceed 1.5 metres in width and shall not have outward opening gates.

Reason: In the interest of traffic safety.

4. 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.

5. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

Reason: In the interest of orderly development.

6. The developer shall submit details of the site's boundary treatment for the written agreement of the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

7. The naming and numbering of the dwelling shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing with, the planning authority prior to occupation of the proposed dwelling.

Reason: In the interest of orderly street numbering.



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 proposed development, including tree protection measures, noise management measures and off-site disposal of construction/demolition waste.

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

9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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 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.



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 11th day of April 2023

