

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1858/21

Appeal by Derbhil Geoghegan care of Mac Eoin Architects of 19 Mountjoy Square, Dublin against the decision made on the 31st day of January, 2022 by Dublin City Council to grant subject to conditions a permission to Seamus and Geraldine McAnenly care of Kevin Campbell Architects of 22 Maybrook Mews, Pennyburn, Derry, Northern Ireland in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a proposed detached two-storey, three bedroom house with two car parking spaces with vehicular access onto The Rise, gardens, first floor balcony facing The Rise, and associated external works at 429 Griffith Avenue (the rear/side/corner of number 429 Griffith Avenue), and The Rise, 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 site configuration and its location at the corner of Griffith Avenue and The Rise, the form, scale and disposition of the proposed building on the site, and the contemporary design incorporating setbacks at first floor, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area by reason of overbearing impact, overshadowing, overlooking or due to dwelling form, height, design and finishes, would be acceptable in terms of traffic safety and convenience and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be completed and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars lodged with the planning authority on the 4th day of January, 2022, 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 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.

Reason: In the interest of visual amenity.

3. The vehicular entrance off The Rise shall be reduced to a maximum width of three metres and shall be fitted with inward opening or sliding gates only. Revised drawings of the entrance showing compliance with this condition shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of clarity and the safety and convenience of road users.

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 agreement has been received from the planning authority.

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

5. Prior to commencement of the development, the developer shall submit to and agree in writing with the planning authority, a fully detailed landscaping scheme for the site including hard and soft landscaping and for boundary treatment all of which shall be implemented within the first planning season following occupation of the dwelling.

Reason: In the interest of residential and visual amenities.

6. Water supply and drainage arrangements, including the attenuation and 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.

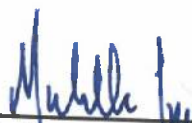
7. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

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.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 22nd day of December 2022.