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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3492/22**

**APPEAL** by Pat and Susan McNamara care of David Moran of 118 Home Farm Road, Drumcondra, Dublin against the decision made on the 4<sup>th</sup> day of May, 2022 by Dublin City Council to refuse permission.

**Proposed Development:** Construction of a contemporary detached single storey house/bungalow with three bedrooms to side, with access from Copeland Grove and minor alterations to front and side elevation of existing house, all at 52 Copeland Grove, Dublin.

**Decision**

**GRANT** permission for the above proposed development for the reasons and considerations under and subject to the conditions set out below.

## Reasons and Considerations

In arriving at its decision to grant permission for a house at this location, the Board considered the totality of the file and the Dublin City Development Plan 2022-2028 particularly Section 15.13.4 and Appendix 5, Table 2, Maximum car parking standards.

The Board agreed with the assessment of the planning authority that the house, as proposed, would be in accordance with the current development plan requirements for backland housing with respect to design, layout and impact on adjoining properties.

The Board agreed with the Inspector and the planning authority that the main issue is the car parking proposed. The applicant proposes to accommodate four car parking spaces to serve the two dwellings. The Board noted that the current development plan for the area has a maximum requirement of one car parking space per new dwelling.

The Board noted the fact that the current development plan for the area provides for the relaxation of some standards to promote densification. The Board noted that the total site area of 1,629 square metres is of a size that can accommodate an additional unit; the site configuration hampers the provision of car parking, and that the site abuts the pedestrian route that gives direct access to the Malahide Road, a frequent bus route. Having regard to the fact that car parking standards are maximum standards, that the site is within a ten-minute walk time of a bus corridor, and that the current development plan provides for the relaxation of some standards to promote densification in this instance, the Board considered that the proposed development should be permitted with parking on the site to serve the existing dwelling only.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered the totality of the file and development standards included in the Dublin City Development Plan 2022-2028.

## Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. No onsite carparking shall be provided for the new dwelling. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority revised drawings showing the turning circle and parking proposed to the rear of number 52 Copeland Grove removed and the area landscaped.

**Reason:** In the interest of traffic safety.

3. 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.

4. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority details relating to all boundary treatments.

**Reason:** In the interest of orderly development.

5. 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 and surface water management.

6. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann (formerly Irish Water).

**Reason:** In the interest of public health.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interest of visual and residential amenity.

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 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 amenities of property in the vicinity.

9. The construction of the proposed 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 all intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and residential amenity.

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.

  
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Mary Henchy

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 27<sup>th</sup> day of *July* 2023.