

An
Bord
Pleanála

Board Order ABP-314101-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1374/22

Appeal by Gearoid and Catherine Bradley care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin and by Paul and Dervla Gilmer care of DMVF Architects of 276-278 Lower Rathmines Road, Rathmines, Dublin against the decision made on the 20th day of June, 2022 by Dublin City Council to grant subject to conditions a permission to the said Paul and Dervla Gilmer in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing single-storey conservatory, existing single-storey projection, existing chimney and existing shed to the rear of house and demolition of chimney to the front of existing two-storey semi-detached house; the subsequent construction of a new part single-storey/part two-storey extension to the rear, converted attic with new dormer and rooflights to the rear and side, conversion of existing garage to habitable room, replacement of all existing windows and doors, modifications of existing window and door openings, widening existing vehicular entrance and all associated site works at 1 Dartry Park, Dartry, 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 'Z1' land use zoning of the site under the Dublin City Development Plan, 2022-2028, to the character of the site and its setting, the pattern of development in the area and the design, layout, nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of surrounding dwellings or the visual amenities of the area. 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. The proposed development shall be revised as follows:
 - (a) The width of the vehicle entrance shall be reduced to 3.2 metres and the details of the design of the entrance shall otherwise be agreed with the planning authority.
 - (b) The first-floor window on the north-east facing side elevation of the extension to the ensuite of the master bedroom shall be permanently fitted with obscure glazing.
 - (c) The flat roof over the rear ground floor level extension shall not be used for amenity use by occupants of the dwelling. Access to this roof shall be restricted to that required for its maintenance only.

Prior to the commencement of development, the developer shall submit to and agree in writing with the planning authority, revised drawings showing compliance with these requirements.

Reason: To protect the residential amenity of the adjoining properties and adequately address traffic safety.

3. The demolition and construction phases of the proposed development shall be managed in accordance with a Demolition and 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 traffic management and access, noise management measures, dust management measures, protection of site boundary measures, off-site disposal of demolition and construction waste storage of materials including measures taken to deal with hazardous materials.

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

4. 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.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

6. 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 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.

7. 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.

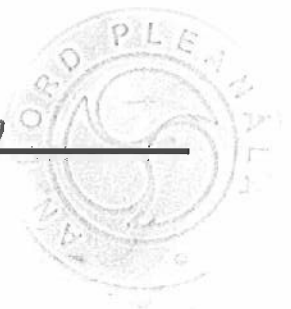
Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this 06 day of July 2023