

An
Bord
Pleanála

Board Order ABP- 315141-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1536/22

Appeal by John and Kathleen Tansey and Peter Fox care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 21st day of October, 2022 by Dublin City Council to grant subject to conditions a permission to Maria Kirby care of DW Design Studio of 24 Ventry Park, Cabra, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention planning permission for the construction of a single story porch extension to the front and side, single and two-storey extensions to the rear, internal alterations, Velux windows to the front and rear and all associated site works at 24 Grace Park Heights, Drumcondra, 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 design and scale of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the visual amenities of the area and would not seriously injure the amenities of adjoining property. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

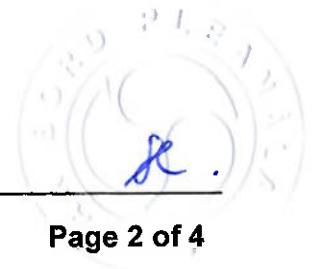
1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development shall be amended as follows:
 - (a) The cill level of the south facing first-floor level window serving bedroom number four shall be revised upwards to a height that harmonises with first floor level window of remaining first floor level rear window.
 - (b) The external finishes for the eastern elevation of the first floor extension shall be agreed in writing with the planning authority.

Revised drawings including revised site plans showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interests of visual and residential amenity.



3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, no further structures shall be erected on site unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of residential amenity.

4. The flat roof area over the rear single storey extension shall not be used as a terrace/balcony and shall only be accessed for maintenance purposes.

Reason: In the interest of residential amenity.

5. (a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, and including rainwater shall comply with the requirements of the planning authority for such works and services.

(b) Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. Permeable paving shall be incorporated to the front of the proposed dwelling and the existing dwelling as part of the car parking on-site provision and the existing surface water drainage for adjoining properties shall not be adversely affected by the development hereby permitted.

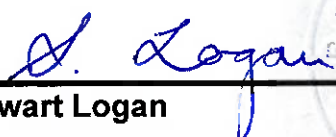
Reason: In the interest of public health and to ensure orderly disposal of surface water.

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 within three months of the date of this Order 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.



Stewart Logan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this *4* day of *December* 2023