

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3130/23

Appeal by Eamonn Slattery of 235 South Circular Road, Dublin against the decision made on the 27th day of March, 2023 by Dublin City Council to grant subject to conditions a permission to Matthew Enright and Karen Vejsbjerg care of Cummins and Voortman of Suite 8, Stokes Court, Rear of number 7 Dundrum Main Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The demolition of the existing garage and stone boundary wall, shared existing vehicular and pedestrian site access and the construction of a two-storey terraced two-bedroom house with flat roofs adjoining the existing two storey house, steps with railing and landing at the front, bin/cycles storage enclosure on the existing driveway, roof level solar PV panels to the rear, canopy with rainwater butt (SUDS) and new paved patio at the rear of the house, landscaping, new connection to the existing combined sewer and all associated site and other works at 233 South Circular Road, 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 provisions of the Dublin City Development Plan 2022-2028 and the layout, design 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, visual, pedestrian or traffic amenities of the area or of property in the vicinity and would comply with the provisions of the Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

The Board considered the information on the file, the Board concluded that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, and that a Stage 2 Appropriate Assessment is not, therefore, required.



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 existing stone boundary wall shall be retained to the front and rear of the new dwelling hereby permitted.

Reason: In the interest proper planning and the amenities of the conservation area.

3. 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 approval has been received from the planning authority.

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



4. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

5. The proposed dwelling shall be retained and occupied as a single residential unit and let or otherwise transferred or conveyed unless permitted by way of a separate planning application.

Reason: To restrict the use of the dwelling in the interest of residential amenity.

6. The drainage arrangements, including the attenuation and disposal of surface water, and mitigation measures against flood risk, shall comply with the requirements of the planning authority for such works and services.

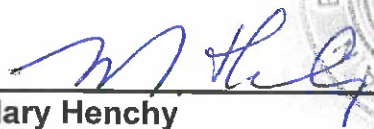
Reason: In the interest of public health.



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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.



Mary Henchy

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

Dated this 28 day of August 2023.