



An
Bord
Pleanála

**Board Order
ABP-316860-23**

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1092/23

Appeal by Eoin Fallon and Roderick Maguire of 118 Vernon Avenue, Clontarf, Dublin against the decision made on the 5th day of April, 2023 by Dublin City Council to grant subject to conditions a permission to Valerie Sharkey and Daniel O’Keeffe care of Liam Cullen Design and Planning of 44 Ballinteer Crescent, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Ground floor extension to rear of dwelling and conversion of existing garage to habitable purposes (49.8 square metres). New roof canopy above ground floor hall door and window on front elevation. First floor extension (34.5 square metres) above existing garage and part ground floor extension. Increase in width of driveway entrance to 3.4 metres in width, and associated site works, all at 116 Vernon Avenue, Clontarf, 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, location, 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 or visual 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.

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. The proposed development shall be amended as follows:
 - (a) The two-storey gable extension to the front shall be omitted.
 - (b) The first-floor level extension to the side and rear shall align flush with the existing side wall of the ground floor garage, and with the primary front building line of the existing dwelling at first-floor level, with the roofline matching the ridgeline, pitch and eaves height of the main roof.



- (c) The canopy above ground floor level may extend across the full frontage of the existing dwelling and side extension, as required.
- (d) The two number windows at first-floor level to the side/north elevation of the side extension shall be permanently fitted with opaque glazing and fixed shut to a height of at least 1.7 metres from floor level.

Reason: In the interest of orderly development and visual amenity.

- 3. Drainage arrangements, including the attenuation and disposal of surface water, sustainable drainage measures 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.

- 4. Site development and building works shall be carried out only 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 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 residential amenities of property in the vicinity.



5. 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 12th day of *September* 2023.