

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1021/23

Appeal by Robert McKay and Ann O'Hare and by Colin Morrissey and Anna Berry care of Diarmuid Ó Gráda, Planning Consultant of 16 Louvain, Roebuck Road, Dublin against the decision made on the 12th day of May, 2023 by Dublin City Council to grant subject to conditions a permission to David Harte and Lisa McNamee care of Meitheal Architects of 1 South Mall, Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) The change of existing roof pitch to facilitate an upstairs attic conversion to habitable rooms, (2) one new roof light to the northern front elevation, and three new roof lights to the southern rear elevation, (3) internal alterations, and (4) all necessary site works to the existing single storey house at 27 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 nature and design of the proposed alterations to the roof height and profile, the footprint of the dwelling in relation to that of dwellings on adjoining sites, and to the established character of existing residential development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area, would not devalue property in the vicinity and 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 as amended by the further plans and particulars submitted on 17th day of April, 2023 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 escape windows in the rear roof slope shall be glazed with obscure glass on a permanent basis. The three main roof lights for the south facing slope shall be installed at a minimum height of 1.8 metres above the finished floor level within the attic level.

Reason: In the interests of clarity and the protection of residential amenities of adjoining properties.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.


Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 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.

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 the 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 *29* day of *September* 2023