

An
Bord
Pleanála

Board Order ABP-317714-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3773/23

Appeal by Patrick Geraghty care of Lionel French Architects of Unit 10, 42 Rosemount Park Drive, Rosemount Business Park, Dublin against the decision made on the 11th day of July, 2023 by Dublin City Council to grant subject to conditions a permission to Laure Manentaz and Kieron Sweeney care of Hyphen Archi Limited of Unit 3, Lakeside Walk, North Road, Monaghan in accordance with plans and particulars lodged with the said Council.

Proposed Development: Proposed new dormer style window to the rear of the property at roof level and three new roof lights to the front of the property, all at 23 Vernon Avenue, Clontarf East, 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.

P.C.

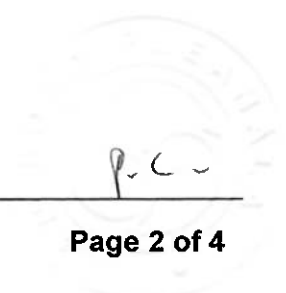
Reasons and Considerations

Having regard to the 'Z1' residential land use zoning for the site, and the pattern of permitted and existing development in the area, it is considered that the proposed modifications and alterations, by reason of their scale, nature and design, and their location with respect to adjoining properties and, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of the area or of property in the vicinity, would be consistent with the provisions of the Dublin City Development Plan 2022-2028, and 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.



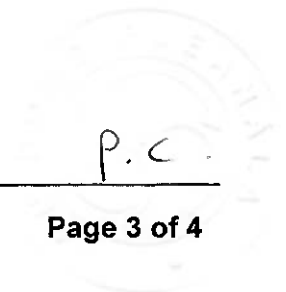
2. The developer shall comply with the following:

- (a) The dormer to the rear shall have a maximum width of 3.1 metres and shall be set back by a minimum of 0.5 metres from the rear wall of the dwelling. The dormer shall be positioned centrally insofar as is technically feasible.
- (b) The number of dormers permitted to the front of the house shall be reduced to two.
- (c) All elevations, fascia/soffits, rainwater goods and window frames of the rear dormer shall be finished in a dark colour so as to blend with the existing roof.

Reason: In the interest of visual amenity.

3. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays, inclusive, between 0800 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 amenities of property in the vicinity.



4. 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

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

Dated this 15 day of April 2024.