

An
Bord
Pleanála

Board Order ABP-317811-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1449/23

Appeal by Sharon Chatterton of 23 Manorfields Green, Navan Road, Dublin against the decision made on the 20th day of July, 2023 by Dublin City Council to refuse permission.

Proposed Development: Construction of one number detached, two-storey, three-bed family house and associated site and landscaping works, to include a boundary wall to the garden. Vehicle access is proposed from the west of the site from Inchicore Square with one number parking space. Refuse storage and two number cycle spaces are located within the curtilage of the site, all at rear of 14 Inchicore Terrace North, Inchicore, Dublin.

Decision

GRANT permission for the above proposed development 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, the Z2 Residential Neighbourhoods (Conservation Areas) zoning objective where residential development is permitted in principle, the pattern of development in the area, the infill nature and size of the site and the separation distance from existing dwellings, and the design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not injure the visual or residential amenities of the area, would not detract from the residential conservation area, would not result in a traffic hazard, 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, as amended by the further plans and particulars received by An Bord Pleanála on the 16th day of August, 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 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) All windows on the ground and first floor east elevation shall be omitted.
 - (b) The vehicular and pedestrian access gates shall not exceed 1.2 metres in height and shall otherwise comply with applicable width requirements set out in the development plan.
 - (c) The proposed floor plans shall be amended to provide for windows on the west elevation that correspond with proposed elevations.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity and traffic and pedestrian safety.

3. Details of the materials, colours and textures of all the external finishes to the proposed development, including boundary treatments, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Proposals for a naming/numbering scheme for the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of the dwelling.

Reason: In the interest of urban legibility.

5. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

6. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide, inter alia, details and location of proposed construction compounds, details of intended construction practice for the proposed development, noise management measures, details of arrangements for routes for construction traffic, parking during the construction phase, and off-site disposal of construction/demolition waste and/or by-products.

Reason: In the interest of public safety and residential amenity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, which shall also provide for appropriate Sustainable Urban Drainage Systems (SuDS), shall comply with the requirements of the planning authority for such works and services.

Reason: To ensure adequate servicing of the proposed development and to prevent pollution.

8. Prior to commencement of development, the developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann.

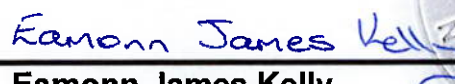
Reason: In the interest of public health.

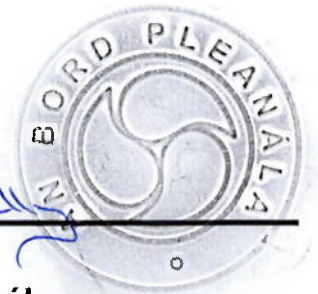
9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

10. 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.


Eamonn James Kelly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this 19th day of September, 2024.