



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4817/23

Appeal by Jonathan Barry of 31 Castilla Park, Clontarf, Dublin and by Others against the decision made on the 5th day of July 2024 by Dublin City Council to grant, subject to conditions, a permission to Denali holdings Limited care of Wilson Hill Architects of Unit 15 The Seapoint Building, 44-45 Clontarf Road, Clontarf, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development will consist of:

- (A) The demolition of the existing storage shed and associated courtyard walls.
- (B) A proposed part single-storey and part two-storey flat roof extension to the rear and side with one number associated rooflight.
- (C) A proposed new attic conversion with a proposed metal clad box dormer to the rear pitched roof to provide an attic study.
- (D) A proposed new ground floor bay window to the front elevation with associated canopy to the front and side elevation.
- (E) And all associated site and boundary works, all at 32 Castilla Park, 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 location and character of the site and surrounding area in a serviced urban area, together with the provisions of the Dublin City Development Plan 2022-2028 including section 15.11 and the 'Z1' zoning objective for the area, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The proposed development complies with local design guidance and does not seriously injure the visual or residential amenity of the area. The development is, therefore, 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 received by the planning authority on the 10th day of June 2024, 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 dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling. The attic level shall not be used for habitation unless agreed to in writing by the planning authority.

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

3. All mitigation and monitoring measures outlined in the Ecological Impact Assessment Report, Arboricultural Report and further information response received by the planning authority from Gannon and Associates on the 10th day of June 2024 shall be implemented in full by the developer.

Reason: In the interest of biodiversity and ecology protection.

4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. All boundaries, access arrangements, public footpath, landscaping and public lighting shall comply with the requirements of the planning authority. Prior to the commencement of development, the developer shall submit such details for the written agreement of the planning authority.

Reason: In the interest of visual and residential amenity.

6. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

7. All foul sewage and soiled water shall be discharged to the public foul sewer.

Reason: In the interest of public health.

8. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, construction traffic management, and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

9. 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.

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.



Declan Moore

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

Dated this 20th day of November 2024.