

An
Coimisiún
Pleanála

**Commission Order
PL-501416-DN**

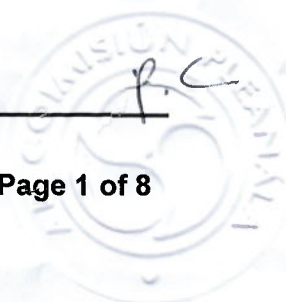
Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2858/25

Appeal by Patricia Brazil and Trevor Redmond against the decision made on the 29th day of April, 2026 by Dublin City Council to grant subject to conditions a permission to Damien Garvey and David Cochrane in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing rear out-buildings on the site and construction of a new detached three-storey three-bed dwellinghouse, including first and second storey terraces, one number off-street car parking space, one number bicycle parking space, proposed new vehicular and pedestrian access gates off Claude Road, proposed new boundary wall and all associated site works, all at site to the rear of 50 Whitworth Road, Dublin, which also addresses Claude Road and the laneway to the rear.



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, including Policy QHSN6, Policy QHSN10, and Objective QHSNO4, the nature, scale, and location of the proposed development on a backland garden site on residential zoned land identified within a Transitional Zone Area, as per Section 14.6 of the development plan, and the existing pattern of 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 property in the vicinity, or the visual amenities of the area, 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 the planning authority on the 7th day of April, 2026, 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 revised as follows:
 - (a) The proposed second floor level, including one number en-suite bedroom and external terrace and wrap around balcony, shall be omitted entirely.

- (b) Glazing on the rear (western) elevation shown to serve the central stairwell shall be finished with opaque glazing and permanently maintained as such.

Revised plans and particulars 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 orderly development, to clarify the scope of the permission and to protect existing amenities.

3. Details and samples of all external materials to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity.

4. No flat roof shall be used as a balcony or terrace, unless authorised by a prior grant of planning permission.

Reason: To protect the residential amenities of adjoining properties.

5. No additional development shall take place above roof parapet level, including external plant, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

6. The proposed development shall comply with the following requirements of the planning authority:

- (a) The new vehicular entrance shall be a maximum of 2.5 metres in width to align with the existing garage entrance fronting onto Claude Road and to ensure there is no loss to on-street car parking along Claude Road. No development shall commence until revised plans, drawings and particulars showing the above amendment have been submitted to, and agreed in writing with, the planning authority.
- (b) The footpath and kerb shall be dished and a new entrance provided to the satisfaction of the planning authority.
- (c) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the proposed development, shall be at the expense of the developer.

Reason: In the interest of pedestrian and traffic safety.

7. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

8. Prior to commencement of development, the developer shall enter into a water connection agreement with Uisce Éireann.

Reason: In the interest of public health.

9. The naming and numbering of the proposed dwelling shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing with, the planning authority prior to occupation of the dwelling.

Reason: In the interest of orderly street numbering.

10. 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 amenities of property in the vicinity.

11. Site development and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and, if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

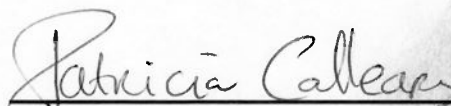
Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

12. 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 Coimisiún 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.

13. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Coimisiún 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.



Patricia Callear

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 15 day of September 2026.