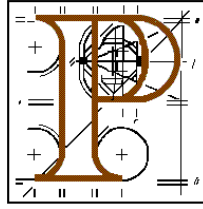


An Bord Pleanála



Inspector's Report

PL29N.245926

Development

Description: Demolish existing conservatory, construction of new single storey extension to front, alterations to existing layout, construct new first floor extension, at 85b Clontarf Road, Clontarf, Dublin 3.

Planning Application

Planning Authority: Dublin City Council.
Planning Authority Reg. Ref.: WEB 1256-15.
Applicant: Cian McMorrow + Tegan White
Type of Application: Permission.
Planning Authority Decision: Grant Permission with Conditions.

Planning Appeal

Appellant(s): Paula and Sheil Thompson and others
Type of Appeal: 3rd Party -v- Grant.
Date of Site Inspection: 15/03/2016

Inspector: **Suzanne Kehely**

1.0 SITE LOCATION AND DESCRIPTION

- 1.01 The appeal site of a stated 192 sq.m. is located within what I consider is best described as the attendant grounds of Warrenpoint Terrace together with the detached Gate Lodge at the original entrance, ancillary extensions to the western side of the Terrace and the Mews properties to the rear. These properties share vehicular and pedestrian access via the original piered entrances on Clontarf Road. The attendant grounds include an open space between the Terrace and the coast which is walled in from the public road. This Terrace dates from the mid-19th century (c. 1847). The subject premises is a detached single storey structure that has been more recently divided from the wider 'curtilage' of no. 85, the end of terrace protected structure – one of six two storey over basement residences – no 85 being a substantially wider property with extensions to its western end which include No. 85a. The subject premises are to the rear (north) of the Gate Lodge (No. 84) and adjacent but not attached to the western end of the terrace. The historic maps indicate that the subject premises are not original although its footprint follows a very old boundary. There appears to have been a very tiny structure on the site.
- 1.02 The premises comprise a modest 65.5 sq.m. one bed residence and from the submissions on file dates in its present form from about 1960s. It has an irregular footprint and has been more recently extended by way of a small porch conservatory. The premises are constructed fully along the northern boundary and partly along the western and eastern boundaries of the site, leaving a residual area of about 125 sq.m. to the south as part of its open space which borders the Gate Lodge.
- 1.03 The premises are presently obscured from view from the Clontarf Road entrance to the Terrace grounds. As it forms part of the boundary wall between the wider Warrenpoint grounds and The Court - a modern townhouse development on the adjacent site to the north/west the structure is visible from The Court access road and the public realm. Mutual views between the Gate Lodge are limited due to the mature vegetation and relationship with boundaries. This can be seen in the photographs.

2.0 PROPOSED DEVELOPMENT

- 2.01 The application, lodged with the planning authority on 10th August 2015, proposes to extend the property from 59.5 sq.m. to 131 sq.m. to provide a two bedroom house. At ground level it is proposed to demolish the recent porch at 6sq.m. and extend the ground floor. It is also proposed to introduce a first floor and a terrace which is proposed to be screened by an

obscure glazed balustrade. New windows are proposed along the boundary with the public area/access road of 'The Court.'

- 2.02 A contemporary design approach has been taken and a detailed rationale is provided for the approach.

3.0 PLANNING HISTORY

Planning authority reference 0029/92 refers to a grant of permission to retain a porch extension. Permission was granted subject to 5 conditions.

- The development to be retained in accordance with the plans, particulars and specifications lodged with the application save as may be required by the conditions attached hereto.
REASON: To comply with permission regulations.
- The house and extension to be used as a single dwelling unit only.
REASON: To ensure that development will not be out of character with existing residential development in the area.
- The external finishes to harmonise in colour and texture with the existing premises.
REASON : In the interests of visual amenity.
- The Requirements of the Engineering Department to be complied with in the development.
REASON: To achieve a satisfactory standard of development.
- This grant of permission does not imply in any way that the development can be regarded as structurally sound or acceptable under the codes of legislation.
REASON: To achieve a satisfactory standard of development.

4.0 PLANNING AUTHORITY DECISION

4.01 The Roads and Traffic Planning Division: No report.

4.02 The Drainage Division has no objections subject to conditions.

4.03 Objections: There are four letters of objection on file. These are from residents in Warrenpoint Terrace, Warrenpoint Mews and The Court. The following matters of concern are raised:

- The Court residences rely on the public realm within that development for amenity. This is due to layout and orientation of the development and plots therein. The proposed development which abuts this public space will

detract from the visual amenities of the Court. It will in addition detract from the wider architectural character of the area which contributes to the visual amenity in the area. This will be exacerbated by, obscuring views of Dublin Bay from the Court and replacing the view of an original terrace with an incongruous structure, detract from architectural unity between the Gate Lodge and Terrace to which it is subordinate. Furthermore, the trees and vegetation will be under threat as they present an impediment to views from proposed terrace.

- The Court residents are concerned about overlooking arising from the bedroom window. The first floor living area will impinge on amenity of the Court
- The structure was originally a store and is not suitable as a residence.
- The design approach will detract from the integrity and amenity of terrace by effectively extending and breaching its building line in an incongruous form.
- The design will result in a prominent insertion in grounds. The glass and steel materials are not in keeping.
- Potential overlooking arising from substandard proposal e.g. 3m separation distance from 85a.
- Potential overlooking of The Court from west and north oriented windows will injury amenity.
- The balcony will overwhelm the Gate Lodge in terms of privacy and there is over reliance on vegetation which is not permanent.
- Concerns about demolition of original wall and insertion of multiple windows.

Attachment: extract from 'From Village to Suburb: the Building of Clontarf since 1760 provides an account of the Terrace.

- 4.04 The planning report notes, the interdepartmental report, the objections and the development guidance in section 17 of the Development Plan. Particular regard is had to the latter issue.
- 4.05 By Order dated 29th September, 2015 the planning authority requested further information in respect of
- Impact on the Gate Lodge 85B in respect to daylight and overlooking from terrace
 - Mitigation of overlooking from 1st floor windows
 - Scaled model of southern elevation.
- 4.06 Revised details were submitted on 29th October 2015.
- It is demonstrated that the Gate Lodge structure shields its own private open space. However modifications to the terrace/boundary are proposed to restrict views into rooflights.

- The elevations have been altered in two elevations to incorporate angled slats to direct views away from firstly the private open space of no.,83 and secondly the views of the private open space of 85a. The high level windows in the elevation facing 85a will be opaque. These relate to high level windows.
- A scale version was submitted – photographs of this are on file.

4.07 By Order dated, 24th November 2015 the planning authority decided to grant permission subject to 9 conditions. In addition to standard conditions relating to services and contributions, condition numbers 3 and 4 also address control of development at roof level and screening of balcony

5.0 GROUNDS OF APPEAL

5.0.1 A third party appeal was lodged by Feargall Kenny on behalf of the residents in Warrenpoint Terrace, Mews and The Court which neighbour the site. The grounds of appeal refer to:

- Impact of development on a conservation area having regard to section 17.10.8.1 and the requirement for new development to complement and enhance the character and setting of conservation areas and the need to consider the immediate streetscape and compatibility of design and failure to do so by reference to building line, scale and height, roof treatment obtrusiveness and removal of trees.
- Impact of development on the curtilage of a Protected Structure having regard to section 17.10.2 and the need to respect the special character and consider proximity and design and impact on special character.
- Particular reference is made to the requirement on 'Insistence on quality will be a foremost consideration'.
- Impact on residential amenity of residences in Clontarf Court having regard to the residential zoning and the site configuration and ultimately the reliance on the public realm to the front for amenity. There is an issue with the overlooking by the first floor bedroom into this amenity space and more directly into the opposing front windows of the houses.
- Inadequate Open Space: By reference to the objective to protect privacy (section 17.9.1 of the Developmental) and the absence of open space to the rear of the subject property, it is submitted that the proposed development would be substandard.

- Car parking: The requirement for parking is 1.5 spaces per dwelling yet no provision for parking is shown, It is submitted that the residents will not permit on-street parking.

Accordingly it is submitted that the proposed development does not accord with the development for the area.

6.0 APPEAL RESPONSES

6.1 The Planning Authority

6.1.1 In correspondence dated 12th Jan 2016 Dublin City Council acknowledges the appeal and attaches the Manager's Order, planning report, objections and Drainage Division report. It is considered that the planner's report already comprehensively deals with issues raised and justifies the decision.

6.2 Appellant's response

History

- An approximate planning history is provided. Residential use dates at least back to the early 1990s. Basic refurbishment was carried out in early 2015 given that the 40 year old property was in a considerable state of disrepair.
- The historical context of the Terrace and grounds is provided in addition to more recent developments. Notably the green area has been historically reserved for the use of the residents and no development is permitted in this space.
- No 85A has been subdivided and it is submitted to be in residential use with prior commercial use.
- The coach house to the rear of no90 has been developed as a separate residence in a modern style.
- The Gate Lodge was extended in the 1980s and in the opinion of the respondent is not considered to be sympathetic in style. A 1978 sketch is provided by way of reference to its original character.
- The Court was developed in the 1980s on the sites of former 83 and an 84 Clontarf Road. The layout features kitchen to the front and living area to the rear. Gables windows face the western side of the subject site
- No 6 The Court was granted permission for an extension to front side and rear but it has not been built.

- It is noted that The Court is z1 zoning as compared to the sites on each side on Clontarf Road that are zoned Z2

Design Approach

- The proposal has been carried out in consultation with the planner and conservation architect in the planning authority.
- In line with Development Plan guidance for conservation areas the extension is modern but will not visually dilute the original architecture – accordingly it is submitted that proposed dwelling is of a contemporary high quality design which does not attempt to replicate the adjacent protected structures but rather sit gently and unobtrusively.
- The extension will cause minimal disturbance to building fabric. Structural design enable this to the extent required as determined during preparation works. Design also facilitates construction within site.
- Materials (e.g. brick in terms of colour, laying and mortar join) are selected to complement protected structures and will also require minimum maintenance. Variances are designed to articulate the horizontal emphasis of the design.
- Window reveals are considered in response to the Terrace
- Design informed by irregular site and layout
- The first floor building line respects that of the Terrace
- The scale of a 131 sq.m two storey structure is not excessive in context of Terrace of houses of about 280sq.m. It is 3.5m below the parapet. It is marginally higher than the Gate Lodge (615mm) and lower than the Townhouses in The Court to the rear by 1.465m)
- A flat roof is appropriate to the irregular footprint and avoids convoluted roof. The Terrace parapet in any event obscures the double pitched roof.
- The simple brick box style is not obtrusive. The façade of the Terrace will remain prominent.
- It does complement the Terrace by being modern rather than being pastiche and architecturally confusing.
- The proposal does not involve the removal of the large evergreen tree although this tree is not apparent in the 1978 sketch and suggests it is not part of the original landscape of the site.
- The proposed first floor echoes the piano noble of the Terrace.

- The development is not within the curtilage of a protected structure.
- The design is in keeping with the approach ‘contemporary buildings which can contribute to the richness of the historical context. Material shall be appropriate to the locality and sympathetic...’
- The allegation of incongruous conflicts with the acknowledgement of ‘credible effort to use appropriate materials. The allegation of visually discordant and obtrusive disputed by reference to the scaling.
- Residential amenity is defined as the benefit enjoyed from physical external space which is part of a private home. There will be no negative impact; the retention of the existing structure which is visually erratic is possibly not the best way to ‘celebrate’ the architectural quality.
- Views of Dublin Bay cannot be the primary amenity of The Court to the rear of the site having regard to set back and trees which pre-date The Court.
- The first floor bedroom will be 11m at the boundary from the front of no 6. It is pointed out that no. 7 The Court which faces no. 6 already has first floor opposing windows. The design ensures restrictions of potential overlooking of private open space to the rear of 85a and 84. It is further pointed out that new gable windows in the remodel and split of no. 83 overlook 85a and 85. The proposed development will block this overlooking.
- Windows designed into elevations to maximise privacy
- The private open space for No 84 the Gate Lodge is screened by the Lodge already. The applicant can comply with the condition in respect of screening of balcony so as to protect views into the Lodge through the roof lights.
- The 1.8m high balcony screen along the western boundary will protect privacy of dwellings to the west.

Other Matters

- This is an extension from an existing building and is not a ‘new building’
- Open space does not have to be to the rear. In any event this relates to an extension and the quality of open space will be enhanced. Similarly the appellant mistakenly seeks to apply car parking standards for new dwellings. Car parking can be provided off-street if required as there is surplus open space. It can be designed as dual purpose however in view of the public transport options nearby car parking is not critical.

- The following documents are cited in support of the contemporary design approach:
 - Architectural Heritage Protection Guidelines of planning authorities (Dept of environment Heritage and Local Government)
 - The Venice Charter 1964
 - Resolution of the Symposium on the introduction of contemporary architecture into ancient groups of buildings at the 3rd ICOMOS General Assembly 1972
 - The Declaration of Amsterdam 1975
 - Appleton Charter 1983
 - The Nara Document on Authenticity 1994
 - ICOMOS Charter on the Built Vernacular Heritage 1999
 - ICOMOS Charter – Principles for the analysis, conservation and structural restoration of architectural heritage (2003)

- It is further pointed out that the design practice in Accredited in Conservation Grade III (RIAI) and the ICOMOS guidelines are adhered to in its work.

7.0 DEVELOPMENT PLAN PROVISION

7.1 Land Use Objective

7.1.1 The site is governed by the objective “**to protect, and/or improve the amenities of residential conservation areas**” in the current Dublin City Development Plan, 2011-2017.

7.2 Extensions

7.2.1 Section **17.9.8** sets out policy and considerations for **Extensions and Alterations to Dwellings**. The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible, and the development should integrate with the existing building through the use of similar finishes and windows. Applications for planning permission to extend dwellings will be granted provided that the proposed development

- Has no adverse impact of the scale and character of the dwelling;

- Has no unacceptable effect on the amenities of adjoining properties.

7.2.2 Guidelines for residential extensions are included in Appendix 25.

7.3 Development in Conservation Areas

7.3.1 Section **17.10** provides detailed guidance for development in a conservation setting.

7.3.2 **Subjection 17.10.8.1** refers in particular to **Development in Conservation Areas and states that** ‘All new buildings should complement and enhance the character and setting of conservation areas. In considering proposals for development in conservation areas, it is policy to have particular regard to:

- The effect of the proposed development on buildings and the surrounding environment, both natural and manmade.
- The impact of development on the immediate streetscape in terms of compatibility of design, scale, height, plot width, roof treatment, materials, landscaping, mix and intensity of use proposed.

Development within conservation areas should be so designed so as not to constitute a visually obtrusive or dominant form of development. New alterations and extensions should complement existing buildings/structures in terms of design, external finishes, colour, texture, windows/ doors/ roof/ chimney/ design and other details.

The planning authority discourages the use of uPVC or aluminium in windows, fascias and doors in historic buildings that are not protected. Proposals for the application of cement render to the external fabric of older buildings will not be encouraged in conservation areas. In assessing development proposals, the planning authority will seek the retention of mature trees (those in good condition) which contribute to the character of conservation areas where appropriate.

7.3.3 **Section 17.10.5** refers to **Retention and Re-Use of Older Buildings of Significance which are not Protected** and states that the re-use of older buildings of significance is a central element in the conservation of the built heritage of the city and important to the achievement of sustainability. In assessing applications to demolish older buildings which are not protected, the planning authority will actively seek the retention and re-use of buildings/ structures of historic, architectural, cultural, artistic and/or local interest or buildings which make a positive contribution to the character and identity of streetscapes and the sustainable development of the city. Where the planning authority accepts the principle of demolition a detailed written and photographic inventory of the building shall be required for record purposes.

8.0.0 ASSESSMENT

8.1.0 Issues

8.1.1 This case relates to a third party appeal against a decision to grant permission for a domestic extension by way of a ground floor extension and introduction of a first floor to a modest single storey property. The issues centre on overlooking, visual incongruity and injury of residential amenity in a conservation area. There is also a question about the principle of a dwelling having regard to the origins of the property as a more recent ancillary structure to a protected structure. Other matters include open space, car parking and the statutory requirement for appropriate assessment.

8.2.0 Development principle

8.2.1 The appeal site is zoned Z2, where the objective is “to protect and/or improve amenities of residential conservation areas”. In the broadest terms, a domestic extension accords in principle with providing for residential amenity. The degree to which this is acceptable is predicated on the degree of protection of both the amenities of neighbouring residents and also respecting the character of the area which in this instance includes Protected Structures in a ‘conservation area’ and these issues are raised in some detail and are dealt with latterly.

8.2.2 There is no dispute among the parties that the subject structure is an established residential use, however reference is made to the origins of the structure as dating from 40 to 50 years ago which would suggest that the premises is under the governance of the 1963 Act with respect to its development, whether that was indeed the structure itself, its subdivision or change of use. One party suggests, quite credibly, that it was originally a garage or store and the applicant acknowledges various uses which more recently include a crèche and residential occupancy. There is however no evidence of permission for this previous change of use. That is not to say that it does not exist. In support of its legitimacy, I note the more recent permission dating from 1992 and the attached condition relating to the entire use of the structure. While these matters may be the subject of debate I note the planning authority has not exercised its powers with respect to seeking further clarification and would appear to be substantially satisfied that the structure is authorised. The Board may wish to seek further evidence of this from the planning authority or the applicant and/or in the absence of such, seek revised public notices. On balance, I take the view having particular regard to the previous decision to grant permission that a further extension of the property can be considered.

8.3.0 Impact on Architectural Heritage

There is strong objection to the styling and scale of the proposed development in the context of proximity to protected structures and location within a conservation area.

I accept that the site is in a sensitive conservation area being in a setting that is best described as attendant grounds of Warrenpoint Terrace which comprises a row of protected structures. The subject site was historically part of the grounds of no. 85 and appears to relate to an ancillary structure that has since been replaced or extended. I note the stepped parapet behind the 1990s porch which is typical of a garage or workshop from mid-20th century and am satisfied it is substantially a modern structure of no particular architectural merit in its own right. However I consider the principal heritage value is derived from the footprint of the existing premises along the site boundaries – the alignment of which dates back a few hundred years as mapped. I note the design approach is to retain the footprint and in the event of discovery of original built fabric, the structural design and construction method facilitates its retention where appropriate. From a conservation perspective the heritage element within the site will be protected.

In terms of how the development relates to its architectural setting, the approach to construct a contemporary design of subordinate scale in the context of the Terrace accords with best practice as advocated in the Development Plan and also in international guidance. In this regard I note the accreditation of the architects and the sources of guidance. Notably, the applicant has consulted with the council conservation architect and has satisfied design criteria.

The criticism of being over scaled does not, in my judgement stand up to scrutiny. The proposed overall height is considerably below that of the Terrace and significantly, it is lower than the parapet. It is also marginally higher than the Gate Lodge and accordingly, does not detract from the relationship between the Lodge and Terrace.

The flat roof is I consider further justified by the irregular building footprint, the preservation of which is paramount in a conservation context.

There is also concern about the materials. The design I note features a horizontal emphasis and this is reflected in the materials and subtle profiling, as well as the openings, by contrasting the lower and upper levels. The detailed application of the brick is, I consider, appropriate. As a matter of preference I would favour a vertical differentiation to mimic the plot grains of the terrace. For example, the render at ground level at the

eastern corner could be continued up and perhaps accentuated by a modest stepping back of the building line. However this is a matter of detail and ultimately I accept that the contemporary design is respectful of the architectural context and I would be slow to interfere with the building articulation. I would however have reservations about the extensive glazing included in the front elevation, such as in the use of glazed opaque screening along the balcony terrace which I consider will be quite obvious due to its reflective qualities. The incorporation of external terrace planting in the form of, for example tall grasses would soften this impact. This could be reasonably addressed by condition.

In conclusion, the heritage value of the subject structure is derived from its footprint in respect of historic site boundaries and this has been respected. On balance I consider the design approach in terms of style, form, scale, height and use of materials is well considered by reference to best practice having regard to the site context and will not detract from the integrity of this conservation area or protected structures therein.

8.4.0 Impact on Residential Amenity

8.4.1 The issue of contention relates to the introduction of a first floor to a single storey structure and this is objectionable to the appellants on grounds of overlooking, obstruction of view and aspect due to its visual incongruity with the wider architectural character.

8.4.2 The proposed development will introduce first floor windows in the north and west elevations. The bedroom window in the north elevation will be directly opposite the façade of a terrace of dwellings (The Court - 1980s development). This window has been designed and modified by way of louvered screen which would oblique views of the private amenity space of properties to the east. However it is argued that the residential amenity in the Court dwellings is derived from the front elevation due to layout and orientation and accordingly, overlooking, where it has not existed will be aggravated by this new window.

Overlooking of The Court to the rear

8.4.3 I note that the window will be virtually on the site boundary where the site is adjoined by the public realm of The Court development – that being the access road serving an infill redevelopment to the rear of no.83 Clontarf Road. While I accept that there will be a perception of intrusion into the small development I do not consider it to be unduly intrusive of private amenity. I say this having regard to site boundary along an area in the public realm and the nature of the public space it overlooks and the degree to which The Court terrace is already visible from this public realm. The

proposed layout which orients the additional living space away from the Court also minimises potential disturbance arising from the proposed development.

Overlooking of No 83 Clontarf Road (which is subdivided to include no, 7 The Court)

- 8.4.4 The windows in the west elevation are obscure/high level and will not permit undue overlooking of the opposing gable (of the remodelled no83 Clontarf Road,) The screened balcony to include a 1.8m high screen wrap as proposed in response to the requirements of the planning authority will also further buffer any potential overlooking.
- 8.4.5 I concur with the planning authority that the main source of overlooking is potentially from the balcony terrace directly into the adjacent Gate Lodge property to the south (No.84). While it has been extended up to its northern boundary (with the subject site) the potential for overlooking is only through its roof light as the Lodge itself screens its private open space. The planning authority however has taken a precautionary approach in requiring additional screening. I consider this to be reasonable and appropriate given that the roof lights relate to a 30 year old extension which may well be remodelled and this should not be unduly compromised by the subject development. I would go further and require roof planting external to the glazed balustrade so as to further obscure mutual views.

Blocking of Views

- 8.4.6 The case is made that the addition of a first floor level between the Court and the sea will obscure sea views. I note there is no protected view in the development plan that applies to the Court development. Furthermore, the right to a private view is not protected in the Planning Acts. In terms of aspect I note that the alignment of the Court access road affords open views from the site. I also note that the boundary wall alignment along the access road remains unchanged. While the wall height will be effectively partially raised, the development is at a point where there is substantial mature vegetation. I do not consider the principle of a first floor level to be objectionable on grounds of injury to amenity by reason of obscuring of views.
- 8.4.7 On balance having regard to the policies of the development plan in respect of residential amenity and residential conservation areas and also noting the pattern of development of the area, I consider the proposed extension subject to conditions to be in accordance with the proper planning and sustainable development of the area.

8.5.0 Development Standards

8.5.1 The standard of development is criticised by reference to car parking provision and open space.

8.5.2 With respect to open space the case is made that the two bed dwelling will have ample open space in an innovative design. To this end a generous terrace of over 25 sq.m. is provided in addition to a garden area of some 110 sq.m. in which car parking could be provided without unduly compromising the space. Details of boundary treatment should I consider be subject to agreement in the interest of conservation and proper standard of development.

8.5.3 With respect to car parking the applicant states that the 1.5 space standard is an upper limit and that the provision of public transport in the vicinity facilitates a relaxation of parking provision at the site. As this is an existing dwelling with a proposal to convert to a two bed it is therefore argued that additional parking is not necessary although it could be provided. In this regard I note the applicant indicates a willingness to provide a car park space at the southern end of the site if deemed necessary. Having regard to the site layout and relationship with 85a and also the potential for additional traffic – visiting and otherwise I consider the provision of one off-street space to be reasonable to protect the amenities and free flow of traffic on the access road serving the site and neighbouring dwellings.

8.6.0 As a final note, in the event of a grant of permission I consider condition 4 as worded by the planning authority, in respect of additional alterations that would otherwise be exempt, to be unnecessary in light of the provisions of the Act which restricts such alterations in a conservation area.

8.7.0 Appropriate Assessment

8.4.1 Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

9.0.0 CONCLUSIONS AND RECOMMENDATION

I have read the submissions on file, visited the site, and have had due regard to the provisions of the Dublin City Development Plan 2011 - 2017, the pattern of development of the area and all other matters arising. In my judgment, subject to compliance with the conditions set out below, the proposed development would be in accordance with the development plan, would not detract from the integrity of the residential conservation area or

integrity of Protected Structures therein, would not injure the amenities of residents in the area and would be acceptable in terms of open space and traffic safety. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area. I recommend permission be GRANTED subject to conditions based on the following reasons and considerations.

REASONS AND CONSIDERATIONS

Having regard to the Development Plan objectives for the area, the nature and scale of the proposed domestic extension and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development of a contemporary design would be in accordance with the development plan, would not detract from the integrity of the residential conservation area or integrity of Protected Structures therein, would not injure the amenities of residents in the area and would be acceptable in terms of open space and traffic safety. The proposed development 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 and as amended in the revised plans and particulars lodged to the planning authority on 29th October 2015, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

- 2 The first floor balcony layout shall be modified such that,
 - a) it is set back from the ground floor parapet in the order of 700mm and the residual roof edge shall be constructed as a roof garden incorporating tall grasses or similar with access for maintenance purposes only and
 - b) the balcony side screening shall be wrapped around onto the southern edge of the balcony for a distance of at least 1m in order to enhance the privacy of no. 84 Clontarf Road to the south.

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 interests of visual and residential amenity.

- 3 One no. car parking space shall be provided within the site at a point where there is minimal interference with mature trees. The entrance shall be no wider than 2.6m. The layout and boundary treatment shall be amended accordingly.

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: To ensure adequate off-street parking provision is available to serve the proposed development.

- 4 Details of the materials, colours and textures of all the external finishes to the proposed dwellings 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 An architectural impact statement and conservation plan for recording and /or retention of historic fabric shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan.

Reason: To ensure that elements of the historic structure, if any are recorded and where feasible maintained and protected from unnecessary damage or loss of fabric.

- 6 Water supply and drainage arrangements, including the 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 to ensure a proper standard of development.

- 7 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. 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act is applied to the permission.

Suzanne Kehely
Senior Planning Inspector.
15th April 2016