

An
Bord
Pleanála

Board Order
ABP-319895-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1880/23

Appeal by John O'Gorman and Sarah Young of 18 Cooleen Avenue, Beaumont, Dublin against the decision made on the 16th day of May 2024, by Dublin City Council to grant, subject to conditions, a permission to Oliver and Laura Moran care of Planning2extend Limited of 17 Clonshaugh Meadow, Clonshaugh, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development consists of new vehicular access to Cooleen Avenue, the demolition of existing single-storey extension and garage to the rear and the construction of a new single-storey flat roof extension to the rear of the existing dwelling to incorporate new kitchen, living, utility, WC and storage space. The development is to include pitched roof canopy to the front, internal alterations, window removal to the side at ground floor, landscaping and all ancillary site works and drainage as required, at 16 Cooleen Avenue, Beaumont, 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 provisions of the Dublin City Development Plan 2022-2028, including the Z1 zoning objective for the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design and scale, would not seriously injure the residential and other amenities of the area, would not devalue neighbouring property, would not negatively impact the security of neighbouring property, and would not affect the use of the shared access between numbers 16 and 18 Cooleen Avenue. 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, as amended by the further plans and particulars received by the planning authority on the 20th day of April 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. Details of the materials, colours and textures of all the external finishes to the proposed extensions shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

3. (i) The footpath and kerb shall be dished and the vehicular entrance shall be in accordance with the detailed standards and requirements of the planning authority for such works.
- (ii) The vehicular entrance shall have a maximum width of 2.5 metres and shall be located at the east end of the front garden to ensure a minimum buffer zone of 2.5 metres between the newly dished footpath and the trunk of the street tree located on the verge in front of the subject house.
- (iii) No gates shall open outward.
- (iv) All costs incurred by the planning authority including any repairs to the public road and services necessary as a result of the construction of the proposed development shall be at the expense of the developer.
- (v) Revised plans, drawings and particulars showing the amendments at (i) and (ii) above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure a satisfactory standard of development and in the interests of the amenities of the area and traffic safety.

4. (i) The street tree to the front of the subject site shall be adequately protected during the period of construction in accordance with BS 5837, such measures to include a protection fence by use of a protection fence and tree trunk protective wrapping.
- (ii) No construction work and no storage of construction materials shall be carried out / placed within one metre of the tree pit.

Reason: To protect the street tree during construction and in the interests of the amenities of the area.

5. 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.

6. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.


Reason: To protect the amenities of the area.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

8. 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.



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

Dated this 14th day of Jan. 2025.