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THIS IS AN IMPORTANT LEGAL DOCUMENT WHICH SHOULD BE PLACED WITH YOUR TITLE DEEDS

Application No.	3520/17
Registration Date	27-Jul-2017
Decision Date	20-Sep-2017
Decision Order No	P3286
Date of Final Grant	02-Nov-2017
Final Grant Order No.	P3828
Location	Strand House, 316, Clontarf Road, Clontarf, Dublin 3, D03 XN52
Description	The development will consist of the following: i) Demolition of non-original extensions to the rear & bay window to the north east elevation, blocking up of one window to the north east elevation and out buildings, refurbishment, modifications to internal layout & alterations to side and rear elevations all to the existing 3 storey house, (ref. house A); ii) Construction of a detached 3-storey, pitched roof, 4 bedroom dwelling with balcony, dormer window & cantilevering elements to the side of the existing dwelling (ref. house B); iii) Construction of a detached 2-storey, flat roofed, 3 bedroom dwelling with carport, rooflights & cantilevering elements, to the rear of the existing dwelling (ref. house C); iv) Provision of a new 3.5 m wide vehicular entrance on Kincora Road to provide 2 no. off street car parking spaces for house B; v) Provision of a new 2.8 m wide vehicular entrance on Kincora Road to provide 1 no. off street carport parking space for house C; vi) Private amenity space, boundary treatments, landscaping and all associated site works necessary to facilitate the development.
Application Type	Permission

NOTIFICATION OF GRANT/REFUSAL OF PERMISSION

PERMISSION for the development described above has been granted and refused under the Planning & Development Acts 2000 (as amended) subject to the following **condition(s)** and **reason(s)**.

CONDITIONS FOR APPROVAL:

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The developer shall pay the sum of €12,182.40 to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority as provided for in the approved Section 48 (Planning and Development Act 2000 as amended) Contribution scheme for Dublin City Council.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. The development shall be revised as follows:

- a. Proposed House B shall be omitted and its proposed private open space shall be appropriately allocated to the existing dwelling and proposed House C.
- b. The oriel feature to the side of the existing dwelling shall be retained.
- c. The proposed north east window in the existing dwelling to be blocked up shall be retained as required.
- d. Proposed House C rear 1st floor windows shall be treated and amended such that they come no closer than 11m from revised private open space boundaries.
- e. No flat roofed area shall be used as roof garden or patio whether or not it would be exempted development.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings:-

Reason: In the interests of orderly development and visual amenity.

4. The requirements of the Roads & Traffic Planning Division shall be undertaken as follows:

- a) Prior to commencement of any development on site the applicant shall submit for the written agreement of the planning authority details for a revised location for the vehicular access and car port for House C to the south of the site, closer to Kincora Road where access and egress can be safely accommodated.
- b) Footpath and kerb to be dished and widened entrance to be provided to the requirements of Roads Maintenance Department



c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

d) The vehicular entrance shall not have outward opening gates.

e) The developer shall be obliged to comply with the requirements set out in the Code of Practice

Reason: in the interests of traffic safety

5. The requirements of the the Drainage division shall be undertaken as follows:

a) The development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).

b) Dublin City Council's drainage records are indicative and must be verified on site.

c) The development is to be drained on a completely separate system with separate connections to the public foul and surface water systems.

d) The development shall incorporate Sustainable Drainage Systems in the management of stormwater.

e) The developer shall ensure that an appropriate flood risk impact assessment, in accordance with the OPW Guidelines, is carried out for the proposed development.

f) The outfall manholes from this development must be constructed in accordance with the Code of Practice for Development Works – Drainage.

g) All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc. Are to be located within the final site boundary. Private drains should not pass through property they do not serve.

Reason: In the interests of public health

6. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

7. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

8. The site development works 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 developers 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.

9. Prior to the commencement of development, details of the materials, colours and textures of all external finishes including samples, shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interests of orderly development and the visual amenities of the area.

10. In relation to individual houses the naming and numbering of dwelling units shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing, by the Planning Authority, prior to the occupation of the dwelling(s).

Reason: In the interest of orderly street numbering.

11. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit or a bond of an insurance company/bank .

(a) to secure the satisfactory maintenance, completion and any reinstatement of services/infrastructure currently in the charge of Dublin City Council, including roads, open spaces, car parking spaces, public lighting, sewers and drains.

or

(b) to secure the satisfactory completion of services until taking in charge by a Management Company or by the Local Authority of roads, footpaths, open spaces , street lighting, sewers and drains to the standard required by Dublin City Council.

The form and amount of the security shall be as agreed between the planning authority and the developer, coupled with an agreement empowering the planning authority to apply such security or part thereof. In the event that land to be used as open space is taken in charge, the title of any such land must be transferred to Dublin City Council at the time of taking in charge.

Reason: To achieve a satisfactory completion of the development.

REASON(S) FOR REFUSAL:

development of the proposed House B and the removal of oriel feature from the side gable of the existing dwelling

1. Having regard to the residential standards set out in Sections 16.10.2 'Residential Quality Standards – Houses' and 16.10.9 'Corner/Side Garden Sites' of the 2016-2022 Dublin City Development Plan, it is considered that the development of a 3-storey contemporary designed dwelling in close proximity to the existing dwelling and set piece terrace and the loss of the original oriel window feature to the side gable of the existing dwelling would undermine the character of the existing and terrace and negatively affect the contribution the set piece terrace makes to the visual amenities of the local prominent streetscape. The proposed development would, therefore, be contrary to the Ministerial Guidelines - Sustainable Residential Development in Urban Areas –Guidelines for Planning Authorities, 2009 and its companion document the Urban Design Manual – A best practice guide 2009, be contrary to the provisions of the Dublin City Development Plan 2016-2022, seriously injure the visual amenities of the area and depreciate the value of property in the vicinity and by itself and by the precedent it would set, would be contrary to the proper planning and sustainable development of the area.



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Signed on behalf of Dublin City Council

Piara O'Doherty

for Assistant Chief Executive

Date 2/11/17

N.B. IT SHOULD BE CLEARLY UNDERSTOOD THAT THE GRANTING OF PLANNING PERMISSION DOES NOT RELIEVE THE DEVELOPER OF THE RESPONSIBILITY OF COMPLYING WITH ANY REQUIREMENTS UNDER OTHER CODES OF LEGISLATION AFFECTING THE PROPOSAL AND THAT A PERSON SHALL NOT BE ENTITLED BY REASON OF A PLANNING PERMISSION TO CARRY OUT ANY DEVELOPMENT.

