



An
Bord
Pleanála

**Board Direction
PL29S.249137**

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 8th 2018.

The Board decided, generally in accordance with the Inspector's recommendation, to make a split decision, to

- (1) grant permission, for the reasons and considerations marked (1) under and subject to the conditions set out below, for the demolition of the existing detached dilapidated 2 storey dwelling and the construction of a similar replacement dwelling

and

- (2) refuse permission for the construction of a new detached 2 storey dwelling in the rear garden and the formation of a new front vehicular entrance for the reasons and considerations marked (2) under.

(1) Reasons and Considerations

Having regard to the established use on the site for residential purposes, the pattern of development in the area and the dilapidated condition of the existing house, it is considered that, subject to the conditions set out below, the proposed demolition of the existing house and its replacement with a new house would contribute positively to the residential and visual amenities of the area and the character and setting of the Sandymount Architectural Conservation Area. It is considered that the proposal

would be in accordance with the Z1 zoning objective 'to protect, provide and improve residential amenities' and 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 on the 8th day of June 2017, 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 the development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interests of clarity.

2. The proposed development shall be amended as follows:-
 - The first floor opes in the rear elevation shall be provided with windows and not doors and the width of the glazed area shall be reduced by one half. The windows shall be located centrally within the area shown for each window on Drawing No. 3223/19 submitted in support of the application. No balcony features or glass balustrades shall be provided.

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 protecting the residential amenities of adjoining property.

3. The original roof materials, including the natural slates, brickwork to the chimney stacks, original chimney pots and decorative terracotta ridge comb shall be retained and reused, to details to be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: To retain the architectural integrity of the building and the character of the Architectural Conservation Area.

4. The existing front boundary railings and plinth wall shall be retained and protected during site development works. No alterations shall take place to existing access arrangements.

Reason: To retain architectural features that contribute to the character of the Architectural Conservation Area.

5. Water supply and drainage arrangements including the disposal of surface water shall comply with the requirements of the planning authority for such works.

Reason: In the interests of public health and to ensure a satisfactory standard of development.

6. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 hours Monday to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays, Deviation from these times shall be allowed only in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of adjoining property in the vicinity.

7. Prior to commencement of development, a Construction Management Plan shall be submitted to and agreed in writing with the planning authority. The plan shall include details of intended construction practice, proposals for traffic management, noise management and measures for off-site disposal of construction/demolition waste.

Reason: In the interests of amenities, public health and safety.

(2) Reasons and Considerations

Having regard to the restricted nature of the site that forms part of the rear garden of a house proposed for replacement, the location and orientation of the development and the proximity to adjacent property, it is considered that the development of an additional house to the rear would seriously injure the residential amenity of adjoining property by way of overlooking and loss of privacy. In addition, it is considered the proposed development would result in overdevelopment of the site and the inadequate provision of private open space for both the replacement house and the new house to the rear which would result in a substandard level of amenity for future occupants. Furthermore, the provision of an additional vehicular entrance onto the heavily trafficked Strand road would be likely to constitute a traffic hazard due to the additional turning movements on this road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 8th January 2018

Philip Jones