



An
Bord
Pleanála

Board Order
PL 29S.248188

Planning and Development Acts 2000 to 2016

Planning Authority: Dublin City

Planning Register Reference Number: WEB1521/6

Appeal by Rathgar Residents Association care of Philip O'Reilly of P.O. Box Number 9574, Dublin against the decision made on the 22nd day of February, 2017 by Dublin City Council to grant subject to conditions permission to Ronan Daly care of ODKM Architects of 39 Fitzwilliam Street Upper, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Alterations and extensions to existing three-storey four bedroom detached dwelling, resulting in an increase in habitable floor area from 354.2 square metres to 390.05 square metres. The proposed works comprise the following elements: (1) demolition of existing storage and sunroom to side, (2) construction of new side extension to replace existing sunroom, (3) construction of new single storey extension to rear, (4) modification to existing windows at stairwell to rear elevation, (5) creation of new 3,250 millimetres wide vehicular entrance, (6) internal alterations, and (7) all associated site works, all at 1 Grosvenor Place, Rathmines, 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.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the nature and scale of the proposed development and to the existing residential development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of neighbouring dwellings or the amenities of the area and would 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 An Bord Pleanála on the 30th day of March, 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 development and the 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 amended as follows:
 - (a) The existing conservatory (storage/sunroom) shall be preserved, refurbished and maintained along with the rails and steps to the front elevation of the conservatory.
 - (b) The rear extension hereby permitted shall be constructed so as not to overhang the adjoining properties and such that water run-off does not flow into the adjacent properties.

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 interest of visual and residential amenity.

3. Details of the materials, colours and textures of all the external finishes 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 visual amenity.

4. The design of the proposed vehicular access shall be amended as follows:
 - (a) the vehicular entrance shall be a maximum of 2.6 metres in width and shall not have outward opening gates,
 - (b) A maximum of two on-site parking spaces is permitted, and these shall be no greater than three metres by five metres each in surface area,
 - (c) the footpath and kerb shall be dished at the access and the new entrance shall be provided in accordance with the requirements of the planning authority, and
 - (d) details of proposed boundary treatment relative to the modifications to the site frontage required to facilitate the vehicular access onto Grosvenor Place shall be submitted.

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 interest of pedestrian safety and residential amenity.

5. 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.

6. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

7. The site frontage shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

8. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Fridays, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays, Bank or 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 the interest of protecting the residential amenities of adjoining properties.

