



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 4199/16

Appeal by Peter and Anne Dunne care of Dixon McGaver Nolan of 14 Lower Baggot Street, Dublin and by Richard Farrell care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 16th day of March, 2017 by Dublin City Council to grant subject to conditions a permission to Declan and Aisling Buckley care of Keller Architects Limited of 23 Mountjoy Square, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Extension and alteration including (a) Construction of a rear and side single-storey extension at ground floor level and an extension at second floor level which will result in an increase in floor area of 47.1 square metres at ground floor level and 5.3 square metres at second floor level. Total floor area increase of the house 52.4 square metres. The rear extensions will incorporate a flat roof to the single storey ground floor extension and a new raised pitched roof to the rear at second floor level. (b) Erection of an 18 square metres single storey detached flat roof garden room structure to the rear garden of the property. (c) Refurbishment and re-roofing of the existing side garage. (d) Widening of an existing vehicular access by one metre at the front of the property onto Herbert Park. (e) Associated internal and external alterations and refurbishments including elevational improvements. (f) Associated demolitions and alterations. (g) Associated drainage,

landscaping and boundary treatment works within the curtilage of the site, all at 11 Herbert Park (a Protected Structure, RPS number 3687), Donnybrook, 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 scale and nature of the proposed development, the zoning objective of the site - Z2 - 'to protect and/or improve the amenities of residential conservation areas', the nature and scale of development on site and the character of the surrounding area, it is considered that the proposed development, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be detrimental to the character and setting of the subject protected structure or neighbouring protected structures, and would be consistent with the provisions of the Dublin City Development Plan 2016-2022. 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 submitted to the planning authority on the 20th day of February, 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 widening of the vehicular entrance shall be permanently omitted from the proposed development.

Reason: In the interest of clarity, orderly development and visual amenity.

3. The proposed single storey rear extension shall be modified as follows: the extension shall be set back by at least one metre from the boundary with number 13 Herbert Park. Revised drawings showing compliance with this condition shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: It is considered that the extension as proposed, given its height, is too close to the boundary with number 13 and that this set back is necessary to protect the residential amenities of that property and the character and setting of that property (a protected structure), taking into account the pattern of development in the area.

4. The external finishes of the proposed extension, including roof tiles/slates, shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. Prior to commencement of development, the developer shall provide for the following: -
 - (a) The appointment of a conservation expert, who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during those works.
 - (b) The submission of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases including balusters, handrail and skirting boards.
 - (c) All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

Reason: To ensure that the integrity of the historic structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

