



An  
Bord  
Pleanála

## Board Order PL 29S.248447

---

### Planning and Development Acts 2000 to 2017

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3384/16**

**Appeal** by Niallo Carroll and Suzanne Egan of 57 Palmerston Road, Rathmines, Dublin against the decision made on the 6<sup>th</sup> day of April, 2017 by Dublin City Council to grant subject to conditions a permission to Edmond Veale care of Pierce and Associates of 104 Francis Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Reinstatement of the existing two-storey over garden level mid-terraced dwelling, alterations of existing structure including removal of building fabric to facilitate connection to new rear extension, demolition of the existing two-storey rear return and construction of a three-storey extension to the rear with external stairs from first floor level to rear garden with a floor area of 85.65 square metres, to provide ancillary family accommodation at garden level in addition to main dwelling; and provide new vehicular access in place of existing railing to front and associated landscaping for two car spaces and ancillary site works, all at 56 Palmerston Road (Protected Structure), Rathmines, Dublin. The proposed development was revised by further public notices received by the planning authority on the 10<sup>th</sup> day of March, 2017.

## **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:

- (i) the inclusion of the existing building and adjoining buildings in the terrace fronting on to Palmerston Road on the record of protected structures,
- (ii) the Dublin City Development Plan, 2016-2022 according to which the site location is within an area subject to the zoning objective Z2: “to protect and/or improve the amenities of conservation areas”, and
- (iii) the proposed reinstatement of the existing building, and the nature and extent of the proposed intervention to the existing historic fabric and the footprint, design, form, height and scale, of the proposed extension,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the historic fabric, integrity, or character of the existing building, the visual amenities and setting of the existing building and adjoining buildings within the terrace on Palmerston Road which are

included on the record of protected structures, would not seriously injure the architectural character, visual amenities and residential amenities of the residential conservation area, would not seriously injure the residential amenities of adjoining properties by overshadowing, and would be acceptable in terms of traffic and public safety and convenience. 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 lodged with the application, as amended by the further plans and lodged with the planning authority on the 10<sup>th</sup> day March 2017 except as may otherwise be required 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. (a) The front vehicular entrance off the Palmerston Road frontage and internal parking provision within the front curtilage shall be omitted and the front boundary shall remain unaltered.
- (b) Details of the proposed rear entrance shall be submitted to and agreed 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 details.

**Reason.** In the interest of the protection and preservation of the cast iron railings, plinth and front curtilage, the visual amenities of the area, the retention of the supply of on-street parking facilities for the benefit of all road users and in the interest of clarity.

3. The proposed development shall be carried out under the direction of an architect with specialist expertise in historic building conservation and in accordance with the recommendations set out in the Architectural Heritage Protection: Guidelines for Planning Authorities issued by The Department of the Arts, Heritage and the Gaeltacht in 2011.

**Reason:** To ensure appropriate building conservation practice in the interest of the protection of the integrity of the structure.

4. 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.

5. Details of materials, colours and textures of all 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.

6. Hours of construction shall be confined to the hours of 0800 and 1900 Mondays to Fridays excluding bank holidays and 0800 hours and 1400 hours on Saturdays only and not at all on Sundays 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 the residential amenities of the area.

