



An  
Bord  
Pleanála

**Board Order**

**PL 29S.248932**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2440/17**

**Appeal** by Philomena Fyfe of 21 Herbert Mews, Ballsbridge, Dublin and by Argenta Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 3<sup>rd</sup> day of July, 2017 by Dublin City Council to grant subject to conditions a permission to Seamus and Yvonne Reddan care of Audrey O'Flaherty Architects of 32 Nassau Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a contemporary one bedroom mews dwelling, two-storey with attic accommodation; one number internalised parking space; rooflights to front and rear of dwelling; sedum green roof; four square metres garden store to rear; 38 square metres private open space to rear and all associated ancillary works necessary to facilitate the development. Permission is also sought for the demolition of timber garden awning/store, all to the rear of number 137 Tritonville Road (Herbert Mews), Sandymount, 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 provisions of the Dublin City Development Plan 2016 to 2021, and to the nature, and scale of the proposed development, it is considered that, subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, or give rise to a traffic hazard. 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 on the 9<sup>th</sup> 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 development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The car parking space for the mews dwelling shall be kept free from obstruction at all times for the use by the occupier of the dwelling and shall not thereafter be used for any other purpose other than for the parking of vehicles.

**Reason:** To ensure the provision of adequate off-street parking and traffic safety.

3. 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 interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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 order to safeguard the residential amenities of property in the vicinity.

5. 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 be erected on the within the rear garden area, without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling.

