



An
Bord
Pleanála

Board Order PL 29S.249137

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3110/17

Appeal by Vivian Healy care of Brian O'Donoghue Architects Limited of 62 Gilford Road, Sandymount, Dublin against the decision made on the 2nd day of August, 2017 by Dublin City Council in relation to an application by the said Vivian Healy for permission for the demolition of a detached dilapidated two-storey dwelling and to construct similar replacement dwelling and construction of new detached two-storey dwelling in rear garden and form new front vehicular entrance all at 21 Beach Road, Sandymount, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the demolition of a detached dilapidated two-storey dwelling and to construct similar replacement dwelling and to refuse permission for construction of a new detached two-storey dwelling in rear garden and the formation of a new front vehicular entrance).

Decision

GRANT permission for demolition of detached dilapidated two-storey dwelling and the construction of a similar replacement dwelling in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

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

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 (1)

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 compliance with 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 interest 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 Number 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 interest 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, 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 0700 and 1800 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays, Bank or 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.

