



An  
Bord  
Pleanála

**Board Order**  
**PL 29S.249139**

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

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3114/17**

**Appeal** by Padraig Cronin and Margueritte Larkin care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 2<sup>nd</sup> day of August, 2017 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Repair and repointing works to facade of main house (a part three, part four-storey, mid-terrace dwelling with three-storey rear return). Removal of single storey non-original extension to rear at lower ground floor level (17.4 square metres). Removal of non-original internal walls at lower ground floor level. Construction of new replacement single storey extension to rear at lower ground floor level (20.4 square metres). Formation of new opening in rear wall at first floor level, together with new opening in rear roof slope above, all to facilitate the construction of a flat-roof rear extension at this level, being an additional storey to the existing rear return (14.4 square metres). Construction of new single storey ancillary recreational building to rear including modifications to existing semi-detached out building (24.8 square metres) and relocation of access door to rear lane and all associated ancillary conservation, landscaping and site development works at 75 Palmerston Road (a Protected Structure, RPS reference number 6246), 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 established use of the site for residential purposes, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the visual or residential amenities of the area and would not detract from the character or setting of the Protected Structure or its curtilage 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, as amended by the further plans and particulars received by the Board on the 29<sup>th</sup> day of August 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 additional storey to the existing rear return shall be omitted from the development. Revised plans showing compliance with this condition shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** To protect the character of the protected structure and the form and pattern of the existing terrace.

3. All works to the protected structure, to the outbuilding to the rear and works to relocate the access door to the rear laneway shall be carried out under the supervision of a Conservation Architect. Prior to commencement of any work on the site a method statement, detailing proposed works, procedures to be followed and the materials to be used, shall be submitted to and agreed in writing with the planning authority.

**Reason:** In order to protect the character and setting of the protected structure.

4. The use of the proposed recreational building to the rear shall be restricted to purposes incidental to the enjoyment of the dwelling and shall not be used for human habitation, for commercial or industrial purposes or for the housing of animals.

**Reason:** In the interest of residential amenity.

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

**Reason:** In the interests of residential and visual amenity and in order to ensure that a reasonable amount of private open space is retained for the occupants of the dwelling.

6. 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.

7. Site development and building works shall be carried out only between the hours of 0700 to 1800 hours Monday to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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.

