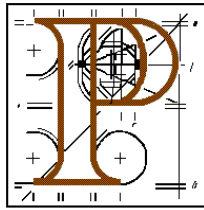


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Dublin City Council

Planning Register Reference Number: 3069/17

An Bord Pleanála Reference Number: ABP-300142-17

Appeal by John Meade and Marie-Therese Rainey care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 12th day of October, 2017 by Dublin City Council to grant subject to conditions a permission to Michael and Ann Kevany care of Brazil Associates Architects of The Studio, Maple Avenue, Stillorgan, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing garage and associated brick party wall and later limestone boundary wall to the gable only of number 34 Raglan Lane, site clearance and construction of a 265 square metres three storey building consisting of a basement, flat roof detached mews house with one off street courtyard car parking space from Raglan Lane, a rear landscaped garden and enclosed rear first floor terrace including a 1.5 metres solid fence facing west and 1.5 metres opaque screen facing north, new pedestrian gate and new vehicular automated access gate onto Raglan Lane along with all associated site works including landscaping and services at number 36 Raglan lane, Ballsbridge, Dublin formerly within the curtilage of a protected structure.

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 pattern of development in the vicinity and the nature, scale and design of the proposed mews house, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of neighbouring property, or of future occupants of the new house, would not unduly detract from the setting of neighbouring protected structures, would represent an appropriate form of mews development that would be compatible with its surroundings, and would be acceptable in terms of pedestrian and vehicular safety. 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 15th day of September 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. Access to the roof shall be restricted to maintenance requirements only.

Reason: In the interest of clarifying the extent of the proposed development.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwelling without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling and to protect the residential amenities of adjoining properties

4. Details of the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The existing front boundary wall onto Raglan Lane shall be retained, except at the location of the vehicular and pedestrian accesses. Any damage to the wall during construction shall be repaired, using stone of the same colour and texture.

Reason: In the interest of visual amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

7. Site development and building works shall be carried out only between the hours of 0800 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.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018