



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4420/17

Appeal by James Bowen and Helen Kelly of 26 Marlborough Road, Donnybrook, Dublin and by Brian Clarke and Gina Dowling care of Tyler Owens Architects of The Mash House, Distillery Road, Dublin against the decision made on the 6th day of February, 2018 by Dublin City Council to grant subject to conditions a permission to the said Brian Clarke and Gina Dowling in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of the existing single storey extension to the rear and the construction of a part single storey flat roof extension with a roof lantern/part three-storey pitched roof extension; a dormer projection at the upper second floor level landing; alterations to the rear elevation including realignment of existing windows at ground and first floor level; minor internal alterations and all associated works to facilitate the development at 28 Marlborough Road, Donnybrook, Dublin (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 design, the appearance of the proposed extensions, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below (including the omission of the first floor extension and second floor dormer extension), the proposed development would not adversely impact on the Protected Structure on the appeal site, nor any other Protected Structures in the vicinity, would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity nor adversely impact on the setting of the Belmont Avenue/Mount Eden Road Architectural Conservation Area and would not adversely impact on the character of the Residential Conservation Area. 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 received by An Bord Pleanála on the 5th day of March, 2018 and on the 9th day of April, 2018, 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 proposed development shall be amended as follows:
 - (a) The proposed first and second floor extensions shall be omitted.
 - (b) The ground floor extension shall have a flat roof. The lower ground floor extension shall be as per drawing number 2017-25-P-100 received by the planning authority on the 4th day of December, 2017.
 - (c) The existing window serving the landing at first floor level shall be retained in situ.

Revised plans, drawings and particulars 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 interests of visual and residential amenity and to ensure that the integrity of the Protected Structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

3. (a) An accredited conservation architect shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice, as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

Reason: To ensure that the integrity of the Protected Structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

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. Site development and building works shall be carried out only between the hours of 0800 and 1800 Mondays to Fridays inclusive, between 0800 and 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.

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

Dated this day of 2018.