



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 2159/18

Appeal by Sheila and David Thompson care of O'Connell Architecture of 159 Rosary Terrace, Stella Gardens, Irishtown, Dublin against the decision made on the 28th day of June, 2018 by Dublin City Council to grant permission, subject to conditions, to Bernadette Connolly and Adam Lax care of Kelliher Miller Architects of 10 Blessington Court, Dublin for development comprising partial demolition of extension to rear, construction of single-storey and first floor dormer extension to rear, internal alterations including new stairs, double glazed slimlite glass in existing sash windows, new central heating system, insulation to existing walls and roof, new insulated concrete floor slab, damp proof treatment to existing walls and all associated site works to existing single-storey dormer terrace dwelling all at 7 Estate Cottages, a Protected Structure, Northumberland Road, Dublin in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for partial demolition of extension to rear and construction of single-storey extension, internal alterations including double glazed slimlite glass in existing sash windows, new central heating system, insulation to existing walls and roof, new insulated concrete floor slab, damp proof treatment to existing walls and all associated site works 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 first floor dormer extension to rear and new stairs, 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 zoning objective for the *site* “*To protect and/or improve residential conservation areas amenities*” as set out in the Dublin City Development Plan 2016-22, to the pattern of development in the area, the design, height and scale of the proposed ground floor extension, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity and would not detract from the existing Protected Structure or Protected Structures in the vicinity. 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, except as may otherwise be required in order to comply with the following conditions. Where such conditions required details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agree particulars.

Reason: In the interest of clarity.

2. The existing roof profile shall remain as is. Revised plans showing compliance with this amendment shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

3. The works hereby granted shall be carried out under the professional supervision on-site of an architect or expert with specialised conservation expertise, in accordance with the Department of the Environment, Community and Local Government, Architectural Heritage Protection, Guidelines for Planning Authorities and in accordance with Best Conservation Practice.

Reason: To ensure that the integrity of this protected structure is maintained and that all works are carried out in accordance with best conservation practice.

4. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. 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: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

Reasons and Considerations (2)

Having regard to the zoning objective of the site, Z2, Residential Conservation, where it is an objective to *“To protect and/or improve residential conservation areas amenities”* as set out in the Dublin City Development Plan 2016-22 and that the existing dwelling and those in the vicinity are Protected Structures, is considered that the proposed first floor rear extension, by reason of its height, bulk and massing past the rear building line of the existing dwelling, would have a negative impact on the residential amenity of the property in the vicinity by reason of overshadowing and overbearing presence. The proposed first floor rear extension would, therefore, be out of character with the pattern of development in the vicinity, would constitute a visually discordant feature that would be detrimental to the distinctive architectural and historic character of this area, which it is appropriate to preserve, and would be contrary policies of the Development Plan and to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector’s recommendation to refuse permission for the entire development, the Board considered that the ground floor extension would not be out of character with the pattern of development in the vicinity, would not injure the residential amenities of adjoining property, the visual amenities of the area or the architectural and historic character of the area.

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

Dated this day of 2018.