



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3348/18

Appeal by Argenta Limited care of 1 Herbert Mews, Herbert Road, Dublin 4 against the decision made on the 16th day of August, 2018 by Dublin City Council to grant subject to conditions a permission to Ralph Bingham and Hilary Barry care of MOLA Architecture of 2 Donnybrook Road, Donnybrook, Dublin 4 in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for a new 4 square metre rear extension to first floor bedroom to previously granted permission planning register reference numbers 2694/18 and 0058/18, replacement of existing flat roof with a new pitched roof and gable walls (to match existing) to include 21.5 square metres attic accommodation with 9.5 square metres concealed roof terrace, works also include widening of entrance gates, rear privacy screen at first floor bedroom and associated elevational modifications at 19 Herbert Road, Ballsbridge, 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 residential zoning objective relating to the site, it is considered that the proposed development, subject to conditions set out below would not seriously injure the amenities of the area or property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. 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 require 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 agreed particulars.

Reason: In the interest of clarity.

2. 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.

3. Site development and building works shall be carried out only between the hours of 0700 to 1800 Monday to Friday, 0800 hours to 1400 hours Saturday and not at all on Sundays or 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.

4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials 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 dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

6. Prior to the commencement of development, the developer will comply with any requirements of the Roads and Traffic Planning Division of the planning authority.

Reason: In the interests of traffic safety.

7. The maximum width of the vehicular entrance shall be 3.6 metres.

Reason: In the interests of traffic safety.

Paul Hyde

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

Dated this day of 2018.