



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 2699/18

Appeal by Patrick and Regina Whelan care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 18th day of October, 2018 by Dublin City Council to grant subject to conditions a permission to Margaret Keane care of Tyndall Architects and Designers of 2 Montague Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of paved roof terrace over single storey return with 1.6 metres high timber screen and access door from ground floor to the rear elevation of the building, external stairs with timber screen which gives direct access to rear garden and all associated landscaping and site works at 21 Belgrave Square, Rathmines, 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 Z2 zoning objective for the area, the policies and objectives of the Dublin City Development Plan 2016-2022, the overall design and location of the development proposed for retention and the pattern of development in the immediate vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity or have a negative impact on the character and setting of a protected structure or the conservation area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development for which retention is sought 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 commencement of development and the development shall be carried out and completed out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development hereby approved shall incorporate the following amendment:

The screens surrounding the perimeter of the roof terrace and either side of the existing stairway shall be a minimum of 1.8 metres above the finished floor height. These amended screens shall be in place within six months from the date of this Order.

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 amenities of the occupiers of adjoining properties and ensure finishes are in keeping with the character of the protected structure.

3. The screens surrounding the perimeter of the roof terrace and either side to the external stairway shall be painted white within six months from the date of this Order.

Reason: In the interest of visual amenity.

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

Dated this day of 2019.