



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4490/18

Appeal by Neil O’Leary and Aislinn O’Farrell care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 31st day of January, 2019 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The remodelling and extension of the existing storey and a half coach house to the rear of the site and the construction of an underground store room below the rear garden. The works to the coach house include the replacement of non-original windows and doors with new, the removal of the existing modern pitched roof and construction of a new similar roof at a slightly higher level containing six new rooflights, raising the walls to meet the new roof, forming an opening to the side gable to allow access to the new extension and construction of a new single storey (double height) side extension containing a rear rooflight and a part-pitched glazed screen to the front, replacement of the modern internal first floor, pebbledashing of blockwork to laneway and repair work to the garden façade including repointing of existing brickwork. The works relating to the garden store room include the construction of a new circa 30 square metres

underground store below the rear garden along with an access stairs, including associated site and drainage works, all to the rear of a part three-storey/part four-storey semi-detached dwelling at number 21 Palmerston Road, 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 design and scale of the proposed development, the modified design proposal submitted and subject to compliance with the conditions set out below, the proposed development would be acceptable in the context of the visual amenities of the area, the amenities of adjoining properties and would not adversely impact on the character and setting of the existing protected structure on site, those on adjoining sites or the wider Architectural Conservation Area in which the site is located. 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 to An Bord Pleanála on the 27th day of February, 2019, 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. 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. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. (a) A conservation expert 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 the Environment, Heritage and Local Government in 2004. 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.

- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times shall 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.

Dave Walsh

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

Dated this day of 2019.