



An
Bord
Pleanála

Board Order
ABP-303953-19

Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4645/18.

Appeal by Maureen Rabbit care of McCullough Mulvin Architects of 16 Molesworth Street, Dublin against the decision made on the 18th day of February, 2019 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Construction of a new detached two-storey, two-bedroom dwelling. The existing vehicular entrance from Beechwood Road will be retained to provide independent access for the new dwelling with one off-street car parking space provided. The dwelling will be finished in brick and glazing. A new brick garden boundary wall will be provided between the new dwelling and number 13 Beechwood Road with a new timber boundary fence to number 14 Beechwood Road to match the existing together with ancillary site works and landscaping. The proposal includes the demolition and removal of an existing timber garden shed and the demolition of an existing masonry garden shed. All to the side of 13 Beechwood Road, Ranelagh, Dublin. The proposed development is located on Beechwood Road between 13 Beechwood Road and 14 Beechwood Road, Ranelagh, 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 scale, configuration and contemporary design of the proposed development and to the pattern of development in the residential conservation area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity or the visual amenities of the area or the character of the streetscape, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not agree that the proposed development, due to its contemporary style and design would harm the character of the residential conservation area or the visual amenities 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 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:

The southern elevation of the proposed development shall be set back from the site boundary by 1.5 metres at first floor level.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the residential amenity of the adjoining residential property.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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. The footpath shall be dished in accordance with the requirements of the planning authority.

Reason: In the interest of pedestrian safety.

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. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouse without a prior grant of planning permission.

Reason: In the interest of residential amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2019.