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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2619/19**

**Appeal** by Fiona Reilly and Others of 23 Russell Avenue East, East Wall, Dublin against the decision made on the 22<sup>nd</sup> day of May, 2019 by Dublin City Council to grant subject to conditions a permission to Brian Rush care of ABA Architects of 17 Londonbridge Street, Sandymount, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Demolition of rear single storey extension, (b) construction of new part single storey, part two-storey rear extension, (c) construction of new front single storey extension, (d) rear dormer roof construction and (e) sundry other alterations to existing two-storey mid-terraced house, at 24 Russell Avenue East, East Wall, 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 'Z1-Sustainable Residential Neighbourhood' zoning objectives as set out in the current Dublin City Development Plan for the site, to the nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with development in the area and would not seriously injure the residential or visual amenities of the area or of property 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 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:
  - (a) the proposed rear extension shall be reduced to a maximum depth of 3.5 metres at first-floor level, when measured from the original rear building line of the house;
  - (b) the rear dormer window extension shall be reduced in width to not exceed an external width of half the width of the rear roof plane and shall be centrally positioned on the roof plane.

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

**Reason:** In order to safeguard the residential and visual amenities of property in the vicinity.

3. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

4. 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.

5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**

**Dated this            day of            2019**