



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3249/19

Appeal by Martin Henihan of 1 Mill Close, Orwell Road, Rathgar, Dublin against the decision made on the 7th day of August, 2019 by Dublin City Council to grant subject to conditions a permission to Michael and Deirdre Conroy care of Buck Planning Services of Ballinatore, Greenane, Rathdrum, County Wicklow in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of alterations/additions to the fenestration, changes in floor levels, reduction in extent of units, changes to eaves levels and ridge level and to the drainage layout and alterations to internal layouts, etc. to those granted under An Bord Pleanála appeal reference number PL 29S.244731 (planning register reference number 3368/14) and a permission for foul connection to existing manhole on Orwell Road and all associated site works, all at 77C and 77D Orwell Road, Rathgar, 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 nature, scale and extent of the alterations proposed to be retained, to the planning history, and to the site context, the Board considered that, subject to compliance with the conditions as set out below, would not seriously injure the residential amenities of adjoining properties 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 concurred with the assessment of the planning authority and considered that the alterations proposed to be retained would not seriously injure the character of the area or the residential amenities of adjoining properties, and would be minor in nature and capable of assimilation into the existing site context.

Conditions

1. The development shall be retained, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The outward opening garage doors shall be removed and replaced by up and over hung garage doors.

Reason: In the interest of pedestrian and traffic safety.

3. 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.

4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

Paul Hyde

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

Dated this day of 2020