



**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3163/19**

**Appeal** by Deirdre Smith of 9 Leeson Park Avenue, Dublin and by Sasha Smith care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin against the decision made on the 20<sup>th</sup> day of September, 2019 by Dublin City Council to grant subject to conditions a permission to Aelred and Maud Doyle care of de Siún Architects of 26 Eustace Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development will consist of the following works: removal of circa 1990's 21 square metres two-storey extension to rear; erection of new 40 square metres two-storey extension to side and rear including new opening in rear wall of upper ground floor; alterations to lower ground floor layout; new door open to bedroom on lower ground floor; renovation works to main house including restoration of sash windows; landscaping works to front and rear garden; new gate in railings to front; new platform for bin store to front garden and all associated site works, all at 10 Leeson Park Avenue, 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 relevant provisions of the Dublin City Development Plan 2016-2022, including the zoning objective Z2, 'to protect and/or improve the amenities of residential conservation areas', to the "Architectural Heritage Protection Guidelines for Planning Authorities" issued by Department of Arts, Heritage and the Gaeltacht in October 2011, to the protected structure on site, and to the nature, scale and design of the proposed extension and associated works, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, or the amenities of property in the vicinity, would not adversely affect the architectural heritage of the area nor be out of character with the protected structure on site, and would be acceptable in terms of pedestrian and traffic safety. 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 on the 26<sup>th</sup> day of August 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 the 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. Details showing the proposed bin store, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to protect the architectural character, legibility and setting of the protected structure.

3. Prior to commencement of development, the developer shall provide for the following:-

- (a) An accredited conservation expert shall be employed to design, manage, monitor and implement the works on site to ensure adequate protection of the historic fabric during the works. In this regard all permitted works shall be designed to cause minimum interference with the building structure and/or fabric.

- (b) All works shall be carried out in accordance with best conservation practice and the “Architectural Heritage Protection Guidelines for Planning Authorities” issued by the Department of Arts, Heritage and the Gaeltacht in October 2011. The works shall retain the maximum amount of surviving historic fabric in situ including structural elements 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 reinstatement.
- (c) All existing original features shall be protected during the course of refurbishment.
- (d) All repair of the original fabric shall be scheduled and carried out by an appropriately experienced conservation expert of the historic fabric.

**Reason:** In the interest of protecting architectural heritage.

4. Details of all external finishes to the proposed extension including samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

5. Water supply and drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the planning authority.

**Reason:** In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 hours from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will 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.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

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**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020.**