



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2871/20

Appeal by Murray and Mary McGrath care of O'Connell Mahon Architects of 9 Fitzwilliam Place, Dublin against the decision made on the 29th day of July, 2020 by Dublin City Council to grant subject to conditions a permission to Caroline Devlin and Colm O'Sé care of O'Dea and Moore Architects of 9 Castlewood Park, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of 5.8 square metres of additional floor area and new roof profile with mezzanine attic store and one rooflight on each side at existing garden room (original planning register reference number: 3834/17) to rear of 24 Morehampton Road, Donnybrook, 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 Z2 zoning objective for the area which seeks to ‘to protect and/or improve the amenities of residential conservation areas’ in the Dublin City Development Plan 2016-2022 and to the nature and scale of the proposed and existing development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the character or setting of the existing house, adjoining dwellings in the terrace or the mews dwellings on the adjoining lane and would not seriously injure the residential amenities of the area. 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 retained 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 rooflights on the north-eastern and north-western elevations of the roof shall be omitted.

Reason: In the interest of protecting the residential amenity of adjoining properties.

3. The proposed development shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses or for any use other than as a use incidental to the enjoyment of the dwelling house as such, unless authorised by a prior grant of planning permission.

Reason: In the interest of residential amenity.

4. The proposed development and garden room shall be jointly occupied as a single residential unit and the garden room shall not be sold, let or otherwise transferred or conveyed save as part of the existing dwelling.

Reason: In the interest of residential amenity.

5. Within three months from the date of this Order, the developer shall ensure that the existing vents for mechanical services on the rear wall of the garden room area are modified and reduced in scale and length. Details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of works.

Reason: In the interest of visual and residential amenity.

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

Dated this day of 2020