



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2815/20

Appeal by Conor Keoghan, Fiona Foy Holland and Dermot and Mary McKeown care of Reid Associates of 2 Connaught Place, Crofton Road, Dún Laoghaire, County Dublin against the decision made on the 23rd day of October, 2020 by Dublin City Council to grant subject to conditions a permission to Peter and Mary Jones care of Kane Architecture of 6 Clarinda Park North, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Additions and alterations comprising demolition of existing dilapidated garden WC and store and external concrete steps to south-west gable of dwelling. Part demolition of existing three-storey return to rear to provide for new two-storey extension to rear at south-west gable for new lift and additional accommodation for main dwelling comprising living/family and utility room at lower garden level with kitchen and deck at upper ground level. Extension of existing three-storey return to rear of south-west gable for additional bedroom accommodation for main dwelling at first floor and upper return levels and extension of existing roof over matching existing roof profile; blocking up of existing first floor window in north-east

gable return wall, new openings in rear and gable return wall to north-east at lower garden level. Formation of existing bedroom 2 to en-suite and bedroom 4 to dressing room with new door to master bedroom and, internal reconfiguration of existing self-contained two bedroom flat at lower garden level and provision of a single storey extension to rear for bedroom associated with garden level flat. Erection of new masonry boundary wall sub-dividing the site to rear in lieu of existing post and wire fence to match existing stone boundary walls and widening of existing front vehicular entrance gates to 3.5 metres and provision of new hard landscaping to front garden, all at 34 Lansdowne Road (Protected Structure), Ballsbridge, 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 Z2 zoning objective for the site as set out in the Dublin City Council Development Plan 2016-2022, and to the scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities in the area or the residential amenities of property in the vicinity, and would not detract from the character and integrity of the Protected Structure RPS reference number 4288 or neighbouring protected structures. The proposed development would, therefore, be in accordance with the provisions of the development plan and 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 to the planning authority on the 21st day of August, 2020 and the 29th day of September, 2020, 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 side extension hereby permitted shall be reduced to three storeys only, in keeping with the height of the side extension of number 32 Lansdowne Road.
 - (b) The fenestration pattern of the front elevation of the side extension shall be in keeping with the fenestration pattern of the side extension of number 32 Lansdowne Road.
 - (c) The two bottom panels of the north east facing windows to the upper ground floor extension as shown on drawing number FI.04 received by the planning authority on the 21st day of August, 2020 shall be fitted with obscure glazing to at least a minimum of 1.5 metres above floor level.
 - (d) The vehicular entrance shall be a maximum of three metres wide and shall not have outward opening gates.

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 the interests of conservation and residential amenity.

3. The external finishes of the proposed extensions shall be in keeping with the existing house in respect of colour and texture. Samples of proposed materials and details of the 'Privacy Green Wall' to the deck 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. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
- (b) All works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items to be removed for repair or reuse shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings), staircases including balusters, handrail and skirting boards, original historic railings and granite plinth slabs shall be protected or reused during the course of the works.
- (d) A high quality planting and landscaping scheme appropriate to the setting of the Protected Structure shall be submitted to, and agreed in writing with, the planning authority.

Reason: To ensure that the integrity and character of the protected structure and its curtilage is maintained, the structures are protected from unnecessary damage or loss of fabric. and to ensure that the proposed works are carried out in accordance with best conservation practice.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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 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 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 2021.