

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2394/20

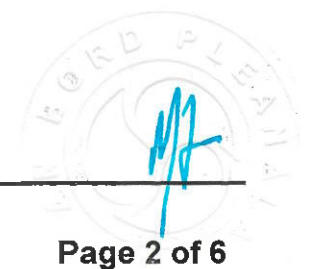
Appeal by Peter and Pamela Purdue of 143 Killester Avenue, Killester, Dublin against the decision made on the 22nd day of January, 2021 by Dublin City Council to grant permission to Bunscreen Limited care of Anthony O'Beirne and Associates of 18 Rathdown Avenue, Terenure, Dublin for development comprising the extension to the rear (to south-east) and side (to south-west) at first floor level of the existing residential accommodation (presently consisting of one number two-bedroomed flat) to provide two number new two-bedroomed apartments. The proposed extension to the rear is by way of a flat-roofed extension located above (and stepped back from) the existing single storey flat-roofed building at ground floor level. The proposed extension to the side is by way of constructing a continuation of the existing building and pitched roof at first floor level, over the lounge area currently roofed in a single storey pitched roof. This residential accommodation to be accessed via its current entrance door at street level. The proposed development also includes at ground floor (street level) for the enlargement of the existing front window to the bar area, the replacement of two number windows in the lounge area with two number full-height "shop-front" windows, incorporating a door to access a new enclosed outdoor customer patio, partially covered with removable canopy and the construction of a new glazed entrance lobby at the existing main entrance to lounge/bar, all at The Ramble Inn,

145,147 Killester Avenue, Dublin in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for at ground floor (street level) for the enlargement of the existing front window to the bar area, the replacement of two number windows in the lounge area with two number full-height “shop-front” windows, incorporating a door to access a new enclosed outdoor customer patio, partially covered with removable canopy and the construction of a new glazed entrance lobby at the existing main entrance to lounge/bar in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for development comprising the extension to the rear (to south-east) and side (to south-west) at first floor level of the existing residential accommodation (presently consisting of one number two-bedroomed flat) to provide two number new two-bedroomed apartments. The proposed extension to the rear is by way of a flat-roofed extension located above (and stepped back from) the existing single storey flat-roofed building at ground floor level. The proposed extension to the side is by way of constructing a continuation of the existing building and pitched roof at first floor level, over the lounge area currently roofed in a single storey pitched roof. This residential accommodation to be accessed via its current entrance door at street level based on the reasons and considerations marked (2) under.



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.

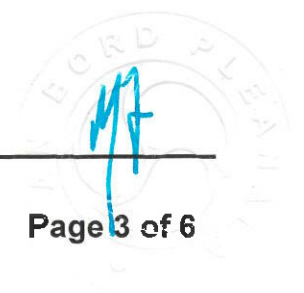
Reasons and Considerations (1)

It is considered that the proposed alterations to the existing public house will improve the visual amenities of the area, would not be prejudicial to public health and will generally be acceptable in terms of traffic safety and convenience. 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 18th day of December, 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 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. The proposed development shall be amended as follows:
- (a) The proposed new glazed entrance lobby shall be omitted.
 - (b) The proposed external patio area shall not be used for the consumption of alcohol and shall be used only as an external smoking area.
 - (c) The proposed canopy shall not provide the advertisement of any product.

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 interest of visual amenity.

3. No advertisement or advertisement structure shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. No part of the fixed canopy shall extend beyond the site boundary.

Reason: In the interests of orderly development and the visual amenities of the area.

5. Details of the materials, colours and textures of all external finishes to the elevation of the public house shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Drainage arrangements including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

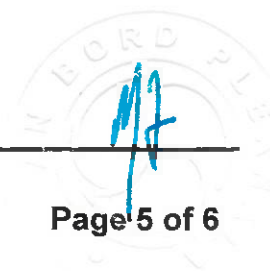
Reason: in the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0700 hours to 1900 hours Monday to Friday inclusive, and between 0800 hours to 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.

8. 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 the construction works in the interest of orderly development.



Reasons and Considerations (2)

1. It is considered that the proposed development, by reason of incorporating obscure glazing for windows serving the kitchen area, would result in a substandard form of development for future occupants and would, therefore, seriously injure the amenities of future occupants and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the increase in ridge height as a result of the residential extension at first floor level would give rise to excessive overshadowing of properties to the south-east of the subject site and would seriously injure the residential amenities and depreciate the value of adjoining properties and would, therefore, be contrary to the proper planning and sustainable development of the area.


Michelle Fagan

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



Dated this 15th day of June 2021