



Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3473/21

Appeal by Patricia O'Neill of 1A Sherborne Court, 17-18 Charleston Road, Ranelagh, Dublin against the decision made on the 2nd day of November, 2021 by Dublin City Council to grant subject to conditions a permission to Eastpoint BP Limited care of DTA Architects of 12-14 College Green, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from guesthouses to two individual family residences being a pair of semi-detached two-bay, two-storey over-basement houses with later two-storey returns of nominally 195 square metres each. Conservation works include repair and improvement works throughout, including re-roofing, replacement of rainwater goods with cast iron replicas and two conservation roof lights to the south elevation of the original returns. Removal works include lamps, ramps and existing surfaces to front, side and rear gardens, section of the party wall and low granite walls, steps and timber stairs to rear garden, non-original doors, walls, store, kitchens and bathrooms and part of original walls to enlarge openings to lower ground floors, the wall between front and rear rooms, the stairs, sash window, lowering the ground floor level and window ope to 16 and the non-original partitions and bathrooms to the first floor, non-original doors and windows to

the returns, lowering the floor level, new openings in the north elevation and widening the openings in the east and west elevations on the lower level, relocation of existing north-facing openings, reinstatement of original window openings to 15 and sections of floor to 16 on the upper level. Proposed works include at the lower level, the original configuration of rooms to provide bedrooms to 15, new open plan living area and window to 16, new stairs to 15 and 16, double doors to entrance area and steps down to returns with storage and WC and three-metre glazed walls and doors to new extensions. Sash window from 16 reconfigured to fit reinstated openings to 15, ceiling opened up and doors to new extensions at upper level. Reinstating original configuration to first floor to provide bedroom, bathroom and dressing and PV photovoltaic panels to the pitched roof. Construction of two number sedum flat roof stone clad extensions to the rear of 15 and 16 and connected to the existing returns, three-storey extension to 15 of nominally 167 square metres with basement, lower and upper ground level consisting of living and utility to basement, bedroom, ensuite, bathroom and circulation to lower and open plan kitchen/dining and external terrace to upper level with two roof lights, two-storey extension to 16 of nominally 107 square metres at lower and upper ground level with open plan kitchen/dining to lower and two bedrooms, bathrooms and ensuite to upper level with three roof lights. Associated works including enabling, temporary, drainage and landscape works to front, side and rear, including new permeable surfaces, planting, bin store and air to water heat pumps, retaining the existing vehicular and pedestrian access onto Charleston Road, refurbishment of the steps and railings, including removal of concrete steps and replacing with granite steps to match existing and provision of two number car parking spaces per house. New courtyards to side and provision of new terraces, steps, planting, barbeque, storage and timber privacy screens to top of boundary walls to the rear, all at 15 and 16 Charleston Road, Ranelagh, Dublin (Protected Structures).

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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.

Reasons and Considerations

Having regard to the established use and condition of the property, the design and scale of the proposed development, the pattern and character of development in the vicinity, the policies of the Dublin City Development Plan 2022-2028, including the Z2 Residential Neighbourhoods (Conservation Areas) zoning objective for the area, Policy BHA2, which provides that development will conserve and enhance protected structures and their curtilage, and national guidance, including the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht (2011), it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect on the character of the protected structures or the wider Z2 Conservation Area, would provide an acceptable level of residential amenity for future occupants and would not seriously injure the amenities of adjacent property. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Conditions

1. The proposed development shall be 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 prior to commencement of development and the proposed 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 lower ground floor level of number 16 shall not be lowered, except within the rear return section.
 - (b) The stairs between the lower and upper ground floor levels in number 16 shall be retained.
 - (c) The opening in the dividing wall between the front and rear rooms at the lower ground floor level of number 16 shall be a maximum width of three metres.
 - (d) The level of the new fencing on the boundary walls shall be a maximum height of 1.8 metres above the upper garden terrace levels. The length of the fencing shall be a maximum of six metres from the rear site boundary.

- (e) The bin stores and air to water heat pumps shall be relocated to a location behind the front façade of the buildings.

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 order to protect the character of the protected structures.

3. Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

4. Details of the materials, colours and textures of all the external finishes to the proposed development 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. 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 or public holidays. Deviation from these times shall 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.

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6. The construction of the proposed 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 proposed development, including traffic management, noise/dust management measures, and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

7. Prior to commencement of development on the Protected Structures, the developer shall submit for the written agreement of the planning authority confirmation that:
- (a) the proposed development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and
 - (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

Reason: In the interest of the protection of architectural heritage, in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

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8. 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 the 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.

Patricia Calleary

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Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 11 day of May 2023.