

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3643/21

Appeal by Chris Dardis care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 30th day of November, 2021 by Dublin City Council to refuse permission for the proposed development.

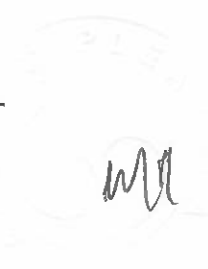
Proposed Development: Retention permission for: (i) the demolition of a small single storey shed, (ii) a single storey extension with rooflights to the rear basement/lower ground floor, (iii) a two storey extension to the rear basement/lower ground floor and entrance/upper ground floor, (iv) one number bathroom to rear bedroom, (v) one number en-suite bathroom to rear study/home office and all associated alterations and site works, and planning permission for: (vii) two number replacement windows to the rear and side elevation and (viii) proposed alteration to rear bedroom on the basement/lower ground floor, to relocate the existing en-suite, block up the existing side window that opens out into the new extension and form a new external window to the existing bedroom on the side elevation of the original return, all to the rear of the property at 47 Raglan Road, Ballsbridge, Dublin (a Protected Structure).

Decision

GRANT permission for the above development 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, nature and scale of the proposed development and development proposed to be retained, and the pattern and character of development in the vicinity, the policies of the Dublin City Development Plan 2022 – 2028, including the Z2 conservation area zoning objective for the area, and national guidance, including the 'Architectural Heritage Protection Guidelines for Planning Authorities' issued by the Department of Arts Heritage and the Gaeltacht in 2011, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed to be retained would not have a significant adverse effect on the character of this protected structure 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 and development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 5th day of January, 2022, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The following works shall be completed within six months of the date of this Order in accordance with the plans and particulars received by An Bord Pleanála on the 5th day of January, 2022:
 - (a) The proposed copper cladding shall be affixed to the two extensions.
 - (b) The timber cladding to the internal walls of the single storey extension shall be removed and the walls shall be rendered.
 - (c) The external window and door opening to the single storey extension shall be replaced with single pane openings.
 - (d) The rainwater goods shall be replaced with suitable proposals.

Details of the design, materials, colours and textures of all these internal and external finishes 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 structure.

3. The following requirements shall be complied with:
- (a) The two internal windows to the single storey extension shall be retained and protected from damage during construction.
 - (b) The proposed new window opening to the walk-in wardrobe at basement level shall be omitted.
 - (c) Details and drawings of the two proposed replacement windows 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 structure.

4. All works to the protected structure shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

5. Water supply and drainage arrangements, 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.

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 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.

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, noise management measures and off-site disposal of construction/demolition waste.

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



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.



Mary Henchy

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

Dated this 11 day of August 2023.