

An
Bord
Pleanála

Board Order
ABP-315279-22

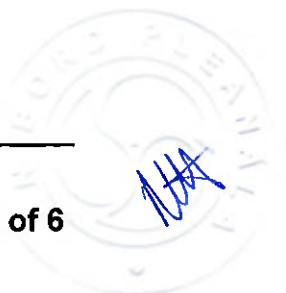
Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4891/22

Appeal by Philip O'Reilly of 18 Grosvenor Place, Rathmines, Dublin against the decision made on the 14th day of November, 2022 by Dublin City Council to grant subject to conditions a permission to James O'Flynn care of Martin Noone Architect of 136 Lower Georges Street, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of the existing detached dormer bungalow dwelling and garage. Construction of a new two-storey, detached, four bedroomed, family dwelling incorporating a semi-autonomous, semi-independent living unit. Lowering of existing ground levels to front and rear gardens together with associated landscaping and drainage works. Provision of solar panels on the proposed roof, screened from view. Construction of a new front boundary wall, widened and reconfigured vehicular entrance, new pedestrian entrance and new gates. Reconstruction and restoration of side boundaries and walls. Provision of permeable hardstanding to the front garden to permit in-curtilage car parking at Eglinton Lodge, 46 Eglinton Road, Donnybrook, 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.

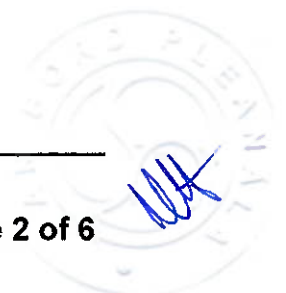
Reasons and Considerations

Having regard to the residential zoning objective, the pattern of development in the area, comprising predominantly single-family dwellings, the grounds of appeal, the applicant's response and the Dublin City Development Plan 2022-2028 Policy framework, it is considered that, subject to compliance with the conditions set out below, the proposed development is a reasonable improvement of the accommodation on site, including the provision of an ancillary family apartment to support the independent living of a family member, would positively impact on the Eglinton Road Conservation area, in terms of sensitive contemporary design infill development and 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 and by the further plans and particulars received by An Bord Pleanála on the 12th day of January, 2023, 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. A survey of the building proposed for demolition shall be carried out and shall be submitted to the planning authority prior to commencement of development. A photographic survey shall be prepared in accordance with the requirements of the planning authority.

Reason: In order to provide a record of the house to be demolished.

3. Details, including samples of the materials, colours and textures of all the external finishes to the proposed dwelling house shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development including:

- (i) The clay brick and bonding;
- (ii) The bronze metal cladding;
- (iii) The patinated bronze finish steel window frames;
- (iv) The proposed perforated metal screen to the western elevation.

Reason: In the interest of the visual amenities of the area.

4. Site development and building works shall be carried out only between the hours of 0800 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.



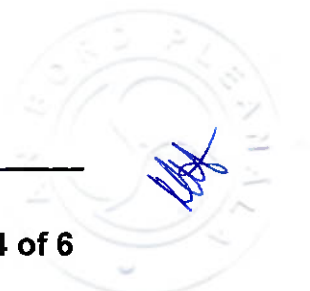
5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

6. The applicant shall comply with the following car parking and vehicular access requirements to include:

- (i) The vehicular entrance shall be retained in the existing location and shall have a maximum width to 2.7 metres;
- (ii) The number of car parking spaces shall be restricted to two number car parking spaces;
- (iii) The car parking spaces shall have installed appropriate electric vehicle recharging infrastructure to enable the subsequent installation of recharging points for electric vehicles.
- (iv) Any other requirements of the planning authority Transportation Division.

Reason: In the interest of residential amenity, road safety and orderly development.



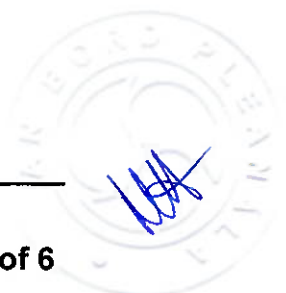
7. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include a survey of all existing trees and hedging plants on the site, their variety, size, age and condition, together with proposals for their conservation or removal.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

8. The proposed ancillary family accommodation (62 square metres apartment) shall be jointly occupied as a single residential unit and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To protect the amenities of property in the vicinity.



9. 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 the 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.



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



Dated this 25th day of January 2024