

An
Bord
Pleanála

Board Order ABP-315537-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4241/22

Appeal by Sean Hogan care of Downey Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 8th day of December, 2022 by Dublin City Council to grant subject to conditions a permission to Cathal and Claire Moran care of Lawrence and Long Architects of 13 Fitzwilliam Square East, Dublin in accordance with plans and particulars lodged with the said Council.

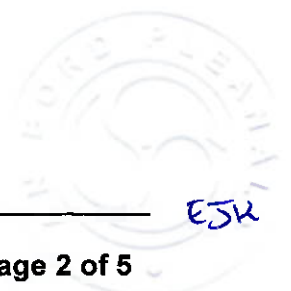
Proposed Development: Alterations to an existing house including the partial demolition of a three-storey side projection (10.2 square metres) and the construction of a new three-storey mono-pitched extension (60 square metres) to the northeast, formation of door opes to the existing side elevation at lower and upper ground floors, removal of windows to the existing side elevation at lower ground and first floors, internal alterations, including the removal of non-original doors. The development also includes landscaping, SuDS drainage and all ancillary works necessary to facilitate the development, all at 52 Charleston Road, Ranelagh, Dublin (a protected structure).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars for the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the Dublin City Development Plan 2022-2028, the zoning objective Z2 of the site, 'to protect and/or improve the amenities of residential conservation areas', the subject site being listed on the Record of Protected Structures, and the height, design, finishes and setback of the proposed three-storey extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the setting or character of the main dwelling, adjoining property, or of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The proposed 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 received by the planning authority on the 15th day of November, 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars. For the avoidance of doubt, the junction between the proposed three-storey extension and party wall with number 51 shall be as indicated in Section BB on drawing number RF1.03/04 received by the planning authority on the 15th day of November, 2022.

Reason: In order to clarify the development permitted by this permission.

2. A qualified conservation architect with proven, appropriate expertise shall be engaged to oversee the proposed development, and shall ensure the protection of retained historic fabric during the works. All works shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

Reason: In order to protect the original fabric, character and integrity of the protected structure and to ensure that all works are carried out in accordance with best conservation practice.

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

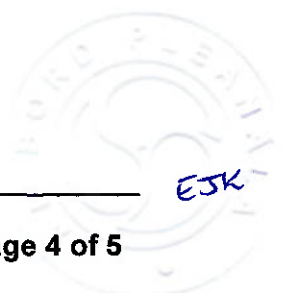
Reason: In the interest of public health and surface water management.

4. 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 amenities of property in the vicinity.

5. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.



6. 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.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *26th* day of *January*, 2024.

