



An  
Bord  
Pleanála

## Board Order

**ABP-318105-23**

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4095/23**

**Appeal** by Fergus Brady of 162 Lansdowne Park, Dublin against the decision made on the 30<sup>th</sup> day of August, 2023 by Dublin City Council to grant subject to conditions a permission to Tony Kilduff care of Iseult Hall of 3 Aideen Mews, Aideen Place, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of single double garage of total 40 square metres to rear of 80 Northumberland Road, restoration and alterations to existing two-storey coach house (a protected structure) to the rear of 78 Northumberland Road, construction of two number 187 square metres and one number 175 square metres courtyard mews houses that integrate and extend to the existing coach house, each comprising a garage providing one number car space with live/work space above, living spaces and two number bedrooms, a new rooflight to the south-west side of the existing coach house roof, external courtyards of 12 square metres and rear gardens of 49 square metres to each house, retention and repair of granite rubble walls, all at 164 Lansdowne Park, Dublin, to rear of protected structures numbers 78 and 80 Northumberland Road, 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 design, character and scale of the proposed development, the policies and objectives of the Dublin City Development Plan 2022-2028, including Policy BHA14 relating to mews development, and the nature of established development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not directly or indirectly impact on any protected structures, would be acceptable in terms of residential accommodation, access and services infrastructure and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development, situated in a line of similar established mews development along Lansdowne Park Road, would be acceptable in terms of overall design, height and scale, and would not adversely impact on the setting or character of the protected structures (numbers 78 and 80 Northumberland Road).

## 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 flat roof located adjoining to Bedroom 1 of House A shall not be used as a roof terrace or balcony area.

**Reason:** In the interest of residential amenity.

3. 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.

4. Prior to commencement of development, the developer shall submit to the planning authority for written approval the following items:

- (a) 1:50 drawings of the historic boundary walls with clear indications of the repairs required.
- (b) A Conservation method statement for repair of the historic mews wall onto the lane.
- (c) Clarification of the presence of the timber boarding/linings to the 1<sup>st</sup> floor mews and also confirm that, if present, these shall be retained.

- (d) Roof coverings to all roofs shall be natural slate.
- (e) The scope, specification and methodologies for the repair of all remaining original/historic fabric, particularly all internal and external fabric within the remaining mews structure and all garden/boundary walls.
- (f) All repair of remaining original fabric and/or reinstatement of lost features shall be carried out by suitably experienced conservators of historic fabric, heritage contractors and/or skilled craftsmen. Materials and details shall be informed by appropriate extant examples in-situ or in similar/adjacent properties.
- (g) A conservation architect shall be employed to manage, monitor and implement the works on site and to ensure adequate protection of the historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the building structure and/or fabric and shall be carried out as per the submitted Conservation Methodology.
- (h) All works shall be carried out in accordance with best Conservation Practice and the Architectural Heritage Protection Guidelines and Advice Series issued by the DoAHG. Any repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements.

**Reason:** To ensure that the integrity of the protected structure is maintained and that all works are carried out in accordance with best conservation practice.

- 5. Parking areas serving the residential units shall be provided with electric vehicle charging points. Details of how it is proposed to comply with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of sustainable transportation.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and implementation of Sustainable Urban Drainage measures, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

**Reason:** In the interest of public health.

8. 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.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The developer shall provide ducting to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interest of visual and residential amenity.

10. The existing granite boundary wall along the site boundary shall be retained. Prior to commencement of development, the developer shall submit, and agree in writing, details of all boundary treatments with the planning authority.

**Reason:** In the interest of orderly development and residential amenity.



11. (a) Prior to completion and occupation of the development, the developer shall contact and liaise with the Environment and Transportation Department of the planning authority with regard to the removal of the existing on-street pay and display/permit parking space along Lansdowne Park adjacent to the site. All fees and costs associated with the works shall be paid by the developer.
- (b) Vehicular entrances shall not have outward opening gates.
- (c) The development shall be fully contained within the site and shall not overhang Lansdowne Park.
- (d) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

**Reason:** In the interest of proper planning and sustainable development.

12. The construction of the proposed development shall be managed in accordance with a Construction and Environmental Management Plan and Method Statement 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 noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of amenities, public health and safety.

13. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities within each unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion of the development.

15. 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 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.

  
Stewart Logan

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

Dated this 11<sup>th</sup> day of July 2024.