

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4573/23

Application for Leave to Appeal against the decision of the planning authority by Namrata Namrata and Stephen Beamish of 28 Orwell Road, Rathgar, Dublin having an interest in land adjoining the land in respect of which Dublin City Council decided on the 5th day of March, 2024 to grant, subject to conditions, permission to Daniel and Mary O'Dea care of Foley and Crowley Architects of First Floor Studio, 41 Donnybrook Road, Donnybrook, Dublin in accordance with the plans and particulars submitted to the said Council.

Proposed Development: The development will consist of: (a) the demolition of the existing shed fronting Orwell Mews to the rear of the main house; (b) the division of the site with a new boundary wall; (c) the construction of a new 100.9 square metres two-storey, two-bedroom mews dwelling in lieu of the existing shed, with a first floor level recessed balcony overlooking Herzog Park; (d) access via new pedestrian entrance gate fronting Orwell Mews along with provision for bin and bike stores; (e) an additional private garden to the rear of the new dwelling and (f) all associated site works and services, on land at Orwell Mews, to the rear of 30 Orwell Road, Rathgar, Dublin.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

The Board noted that the planning application was lodged on the 3rd day of October 2023, that the site notice was reported by the planning authority to be in order on the 24th day of October 2023, and that the applicants indicated in their submission that they purchased the adjacent property in December 2023 and were unable to object to the initial planning application.

Notwithstanding the grounds set out by the applicant in seeking leave to appeal, the decision of the planning authority which has been considered by the Board, pursuant to section 37(6)(i) and (ii) of the Planning and Development Act 2000 as amended, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

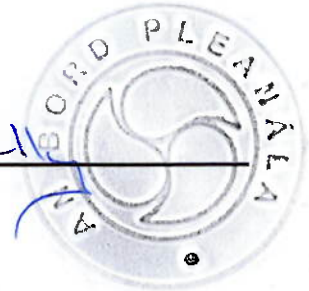
Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



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