

An  
Bord  
Pleanála

## Board Order ABP-319542-24

### Planning and Development Acts 2000 to 2022

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3130/24**

**Appeal** by Bridget Harrington care of John Henry of 83 Swords Road, Whitehall, Dublin against the decision made on the 27<sup>th</sup> day of March, 2024 by Dublin City Council to grant subject to conditions a permission to Daniel Finlay care of Vanessa Carron of 156 Botanic Avenue, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of non-original garage and shed (22.3 square metres) to the side of the house, partial demolition of external walls to south-west and north-west at ground floor, construction of a single storey extension (24.1 square metres), including bike/bin store to the side and rear of the house, provision of rooflight to new flat roof, minor alterations to internal walls at ground floor, including blocking up of existing door opening between kitchen and garage, installation of a new ground floor WC, relocation of existing kitchen, replacement of non-original PVC windows and external door with timber to match original, provision of internal insulation to existing external walls, demolition of non-original boundary piers and garden walls, widening of existing vehicular entrance to three metres, installation of electric car charger, and associated works, all at 156 Botanic Avenue, Dublin (a protected structure).

## **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 nature and extent of the proposed development, which constitutes demolition of part of an existing house that is a protected structure to facilitate an extension to the house, the pattern of development in the immediate area, and the Z2 Residential Neighbourhoods (Conservation Areas) zoning of the site, the objective of which is 'to protect and/or improve the amenities of residential conservation areas' in the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area, would not negatively affect the character of the residential conservation area, the existing protected structure on the site, or the adjacent protected structures, 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 An Bord Pleanála on the 14<sup>th</sup> day of May, 2024, 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. Prior to commencement of development, the developer shall submit to the planning authority for written agreement a revised site layout plan and relevant sections and specifications showing the following amendments:
  - (a) The proposed vehicular access width shall be no greater than 2.6 metres in width and shall not have outward opening gates.
  - (b) The extent of the paved area at the front of the house shall be retained as at present as a garden and only one car parking shall be permitted at the front of the house.
  - (c) The cost of all works to the footpath and kerb to provide for the widened entrance shall be at the expense of the developer.

**Reason:** In the interest of the preservation of the character of the conservation area.

3. The developer shall submit the following details to the planning authority for written agreement prior to commencement of development:
- (a) A full window survey showing the proposed windows at a scale of 1:10, with details of the type and thickness of glazing at a scale of 1:5.
  - (b) Specification of and a methodology for the proposed insulation detail of the existing walls and details of how a dry lining system would impact the proposed timber window design.
  - (c) An annotated plan and photographic record of any extant original cornicing, historic flat and decorative plaster and historic joinery (skirtings/window casings etc.) in the house where new insulation is proposed, and details of the floors which are proposed to be insulated, including specifications, drawings and methodology for the proposed works.
  - (d) Specification for the proposed insulation to be installed in the attic.
  - (e) A methodology for the proposed works to the stairs, including proposed finishes and treatment of timberwork, if any.
  - (f) Mechanical and electrical drawings to show all proposed mechanical, electrical and plumbing services/service routes, including penetrations and indicate any impact on the protected structure's original fabric.
  - (g) Existing and proposed plans and elevations of the proposed works to the vehicular entrance and railings at a scale of 1:20, clearly describing the modifications to the railings, including the design of the proposed pillars either side of the entrance gates, as well as the material to be used.
  - (h) Identify the location of the proposed electric car charger.
  - (i) Details of how the existing arch that connects the property to that of number 158 will be protected at all times during the demolition and construction phases of the proposed development.

**Reason:** In order to protect the amenity, setting and curtilage of the protected structure at 156 Botanic Avenue and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. 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 and to protect the character of the protected structure and conservation area.

5. 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.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

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

7. 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.

8. Site development and construction works shall be carried out in such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material, and cleaning works shall be carried out on the adjoining public roads by the developer and at the developer's expense on a daily basis.

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

9. The construction of the proposed 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 proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

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

10. Prior to commencement of development, the developer shall submit to the planning authority for written agreement a certified filed plan and folio as it relates to the application site and a site layout plan of a scale of 1:50 demonstrating the boundaries of the lands detailed on the certified filed plan.

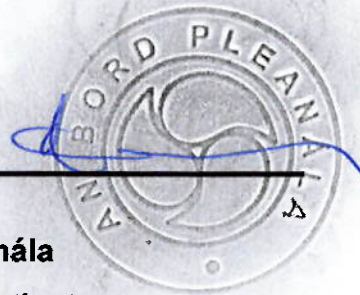
**Reason:** In the interest of clarity and to ensure that the developer has sufficient legal interest to carry out the proposed development.



**Martina Hennessy**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 21st day of October 2024.