



An  
Bord  
Pleanála

Board Order  
ABP-320659-24

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## **Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1557/24**

**Appeal** by Ambrose Loughlin and Ben McCabe of 4 Kensington Villas, Rathmines, Dublin against the decision made on the 13<sup>th</sup> day of August, 2024 by Dublin City Council to grant subject to conditions a permission to Thomas Drew care of desuin Architects of 26 Eustace Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Refurbishment and extension of the existing building, reverting the current arrangement of bedsits back to a single three-bed family home. Works include thermal upgrades to the existing house, a new single-storey extension to the rear, a dormer roof window to the rear, and all associated site works. The building is within a conservation area and is not a protected structure, at 2 Kensington Villas, Mountpleasant Avenue Upper, Rathmines, 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

It is considered that the proposed reinstatement of the house as a single dwelling unit, together with its refurbishment and extension, is in accordance with the residential conservation zoning objective for the area as provided for in the Dublin City Development Plan 2022-2028. The proposed development, subject to compliance with the conditions set out below, would align with the provisions of the development plan, not seriously injure the amenities of property in the vicinity and would, otherwise, 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, as amended by the further plans and particulars submitted on the 18<sup>th</sup> day of July 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The rear roof arch window shall be omitted and replaced with either a non-projecting roof window or a variation of the proposed dormer window by increasing its width by one additional rectangular pane of glass of the same width of the three proposed on Drawing Number 22003-P-4005 (received by the planning authority 18th day of July 2024 in response to its request for further information).

Revised drawings, to a scale of no less than 1:50, showing compliance with this amendment and the details of proposed materials shall be submitted to the planning authority for written agreement prior to commencement of development.

**Reason:** To ensure that the dormer structure as a whole is more proportionate in scale to the design of the house in accordance with development plan guidelines.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

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

4. Site development and building works shall be carried out between the hours of 0700 and 1800 Mondays to Fridays, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

5. 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 the Board 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.



**Patricia Calleary**

**Member of An Bord Pleanála**

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

**Dated this 03 day of December 2024.**