



An
Bord
Pleanála

Board Order ABP-320992-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1879/24

Appeal by Paul McGarry and Olga Bogdan care of Ray MacDonnell Architects of 54 Duneville Avenue, Ranelagh, Dublin against the decision made on the 10th day of September, 2024 by Dublin City Council to refuse permission.

Proposed Development: Construction of a two-storey, two-bedroom 87-square-metre house for family use to rear of site with existing access to shared rear garden and associated works, all at 10 Ashfield Road, Ranelagh, Dublin.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the pattern of development in the immediate vicinity and the policy framework provided by the Dublin City Development Plan 2022-2028 and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse impact on adjoining residential properties, including the main dwellinghouse, would facilitate family use, and would be in accordance with the urban consolidation policies and objectives of the Dublin City Development Plan 2022-2028, including Section 15.5.2 (Infill Development) and Policy BHA9 (Conservation Areas). The proposed development 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, 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.

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2. The proposed development shall be amended as follows:

- (a) The first-floor sunroom shall be omitted from the proposed development and shall be replaced with a window with standard fenestration to bedroom number 1 to the rear elevation. The rear elevation shall be set back to align with the rear building line on Mornington Road (drawing number 1120/PLG-04AA).
- (b) The first-floor cantilevered north gable window lighting the study shall be omitted from the proposed development and shall be replaced with a high-level window with obscure glazing in the north elevation (drawing number 1120/PLG-04AA).
- (c) The Loggia shall be omitted from the proposed development.

Revised plans and particulars showing compliance with these requirements shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of the residential and visual amenity of the adjacent house and within the designated conservation area and to increase the separation distance with the existing dwellings.

3. A two-metre-high block boundary wall shall be erected along the rear boundary between 10 Ashfield Road and the mews dwelling fronting onto Mornington Road. The construction of the wall shall be completed prior to the occupation of the dwelling. Prior to commencement of development, a revised site layout plan, providing for a dedicated rear amenity space of 30 square metres for the mews dwelling, elevations and section drawings, to include details of the material finish of the boundary wall and pedestrian access between the main house and the mews dwelling, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development and in the interest of the residential amenities of the occupiers of the main dwelling and the mews dwelling.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

6. 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.

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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. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

9. The removal of the dishing on the footpath and re-instatement of the parking bay on Mornington Road shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details in this regard for the written agreement of the planning authority.

Reason: In the interest of orderly development and road safety.

10. 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.



Marie O'Connor

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 09 day of April

2025.