

An
Bord
Pleanála

Board Order
ABP-321374-24

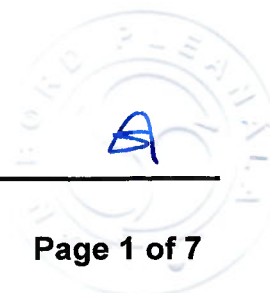
Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2107/24.

Appeal by Clodagh and Ronan Doherty care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 5th day of November, 2024 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Development comprising (i) removal of existing window ope to the rear/northeast elevation at lower first floor level, (ii) removal of existing roof over rear return; (iii) extension of lower first floor level to provide one number additional bedroom, atop existing rear return, (iv) new velux rooflight on inside pitch of rear slate roof, to include new plastered and insulated shaft and new open in ceiling at upper first floor level, and, (v) all ancillary works necessary to facilitate the development. The proposed works will result in the subject property becoming a five-bedroom property; all at 34 Morehampton Road, Dublin. This property is 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:

- (a) the zoning of the site under Z2 'Residential Neighbourhoods (Conservation Areas) in the Dublin City Development Plan 2022-2028,
- (b) the policies and objectives of the Dublin City Development Plan 2022-2028,
- (c) the nature and design of the alterations, with consideration of the protected structure status of the property (RPS no. 5384), and
- (d) the existing pattern of development in the vicinity with consideration of the conservation status of the area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would otherwise be sensitive to the Protected Structure status of the property, wider terrace and conservation status of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

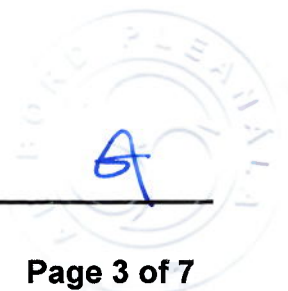
Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 11th day of September 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. Prior to the commencement of development on the protected structure, samples of materials shall be submitted for the written agreement of the planning authority, and all works shall be carried out in accordance with this written agreement. In the event of agreement not being reached between the developer and the planning authority, the matter may be referred to An Bord Pleanála for determination, and all works shall be carried out in accordance with any determination made resulting from such referral.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.



3. Prior to the commencement of development on the Protected Structure the applicant/developer shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:
- (a) a full specification, including details of materials and methods, to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage & the Gaeltacht,
 - (b) methodology for the recording and/or retention of concealed features or fabric exposed during the works,
 - (c) details of features to be removed,
 - (d) details of protective measures for the structure during the construction works,
 - (e) materials/features of architectural interest to be salvaged. Details to be accompanied by drawings of an appropriate scale of not less than 1:50.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

4. Prior to the commencement of development, the developer shall make a record of the existing protected structure, to include:

- (a) A full set of survey drawings to a scale of not less than 1:50 to include elevations, plans and sections of the structure, and
- (b) the recording of the details and current condition of the structure,

Reason: In order to establish a record of this Protected Structure and in the interest of the protection of architectural heritage.

5. Prior to the commencement of development on the Protected Structure the applicant/developer shall submit, for the written agreement of the planning authority, confirmation that:

- (a) The development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and
- (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

Reason: To ensure adequate protection of the Protected Structure.

6. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the 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.

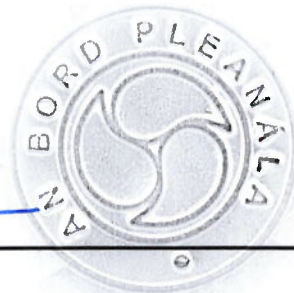
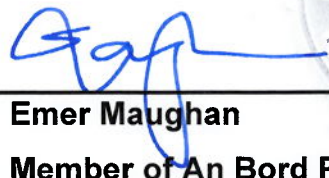
Reason: In the interest of public health.

6. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 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.

7. 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.



Emer Maughan

Member of An Bord Pleanála

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

Dated this 21st day of March 2025.