

An
Bord
Pleanála

Board Order
ABP-321757-25

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4377/24.

Appeal by Vincent Duignan care of David Slattery Conservation Architects of 59 Upper Mount Street, Dublin against the decision made on the 18th day of December 2024 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Planning permission to amend a previous permission (Dublin City Council reference number 5320/22) for provision of a new house on Lansdowne Park located to the rear of number 84 Northumberland Road (Protected Structure), Ballsbridge, Dublin. The proposed amendment includes the following: reductions in the overall height of the proposed building (in accordance with the compliance conditions to permission Dublin City Council reference number 5320/22), relocation of the vehicular entrance/access by way of improvement of front boundary treatment to Lansdowne Park, minor alterations to the front and rear elevations as well as floor layout configurations within the permitted footprint and reconfiguration of site layout to achieve increased daylighting of outdoor spaces, all at 84 Northumberland Road, Ballsbridge, 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

Having regard to the nature of the proposed development, the proposed residential use on the site; the design, nature and scale of the proposed development and the pattern and character of development in the vicinity; and to the policies of the Dublin City Development Plan 2022-2028, as well as national guidance including the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011); it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect on the character of the adjoining protected structure, would not detract from the character of the area, and would not seriously injure the amenities of adjacent residential property and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the existing number of car parking spaces at the rear of 84 Northumberland Road, the Board considered the proposal for a new vehicular access, in addition to the proposed relocation of the existing vehicular access to the rear of 84 Northumberland Road, to be excessive, in the context of the narrow frontage of the site, which would lead to an unacceptable precedent and would create a hazard for pedestrians and traffic.

Conditions

1. (a) The development shall be carried out and completed in accordance with the drawings and particulars as received by the planning authority on the 31st day of October 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.
- (b) Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission planning authority Register Reference 5320/22, unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

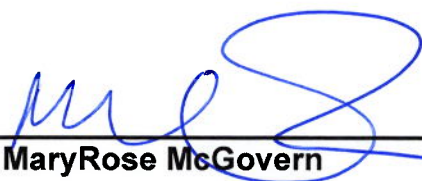
2. The development shall be revised as follows:
 - (a) The proposed new vehicular entrance to provide for off-street car parking to the residential unit on Lansdowne Park, shall be omitted.
 - (b) The relocated vehicular access to the rear of 84 Northumberland Road, shall be a minimum of 3000 millimetres in width, at the point where the boundary meets the roadway at Lansdowne Park.

A revised site layout and particulars of entrance details showing these amendments shall be submitted to and agreed with the planning authority, prior to commencement of development.

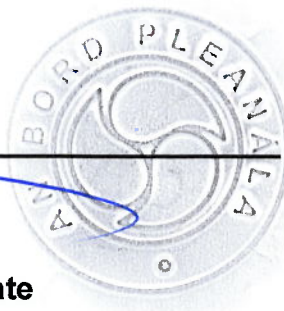
Reason: In the interest of orderly development and residential amenity.

3. 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.



MaryRose McGovern
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 9th day of May 2025.