

An
Coimisiún
Pleanála

Commission Order
ABP-322658-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: 4222/24

Appeal by Jonathan Boylan and Jacinta Lambert care of Kiaran O'Malley and Company of 2, Priory Office Park, Stillorgan Road, Blackrock, Dublin against the decision made on the 7th day of May 2025 by Dublin City Council to grant subject to conditions a permission to Colleen Feeley of Fishamble Architects of 26 Fishamble Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of one number new detached, part single storey part two storey, three bedroom domestic dwelling house within the curtilage of a Protected Structure, with one number car parking space, pedestrian and vehicular access across the existing grass verge to Oaklands Drive and all associated site works, to include a new connection to the public foul sewer serving Oaklands Drive all at the site to the rear of number 26 Highfield Road, Rathgar, Dublin which is a Protected Structure, sharing a corner with Oaklands Drive.

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 location of the site on residentially zoned lands, the design and subservient scale of the proposed dwelling, together with the policies and objectives of 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 setting of Protected Structures, and would integrate appropriately within the established streetscape without undue impact to the visual and residential amenities in the area. The proposed development 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, as amended by the further plans and particulars received by the planning authority on the 10th day of April 2025, 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 proposed vehicular entrance onto Oaklands Drive shall be omitted and replaced with a pedestrian entrance no greater than 1.2 metres in width. No gates shall open across the public footpath. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

3. Finishes to the proposed dwelling shall include a lime render with a traditional rough cast/harled finish. Details of the materials, colours and textures of all the external finishes shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of the development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. All works shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off site shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

5. Proposals for house numbering and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

6. The 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: To prevent flooding and in the interests of sustainable drainage.

7. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. A detailed Construction Environmental Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The following shall be included.
 - (a) The plan shall include details for construction access to serve the proposed development. Such access arrangements shall be designed and supervised by a suitably qualified Conservation Architect. Within three months of the completion of the

development, the construction access shall be removed, the wall reinstated, and the pedestrian entrance provided as per the requirements of condition number two above.

- (b) The plan shall also include arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery, and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

- 9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

- 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




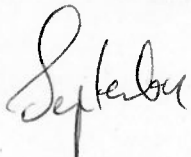
of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this  day of  2025.

