

68 Gandon Close  
Harold's Cross,  
Dublin 6W  
June 17<sup>th</sup> 2025

Bord Pleanála,  
Marlborough St.

73 Grosvenor Road  
DCC 0151/25  
ABP 322724:25  
11 June 2025

AN COIMISIÚN PLEANÁLA	
LDG-	080892-25
ACP-	
11 9 JUN 2025	
Fee: €500	Type: g.c.a
Time:	By: Post

SC

Dear Sir,

Submission is herewith made in respect of the Section 5 exemption application 0151/25 which was refused by the Local Authority and subsequently appealed to you.

The developments for which section 5 exemption status is being sought have arisen out of failures for the proposer to comply with the conditions of application

Area	Area 1 - South East
Application Number	3758/22
Application Type	Permission
Applicant	Amy-Jane O'Reilly & Eugene O'Reilly Jr.
Location	73, Grosvenor Road, Dublin 6
Registration Date	14/04/2022

Additional Information

Proposal: Development will consist of: 1. The demolition of the two storey return, single storey structure and garden shed all to the rear of the house 2. The construction of a single storey ground floor flat roofed rear extension with four associated roof lights 3. The construction of a three-storey rear return extension with a hipped roof 4. Forming 2no. first floor obscured windows to existing house side elevations 5. The installation of external insulation to side walls of existing house 6. The widening of the existing access gate (to Grosvenor Road) to a width of 3.0 metre to allow vehicular access to the front garden / driveway 7. Installation of solar PV panels to rear and side roofs and all ancillary site and landscaping works.

The Local authority has refused the applied for section 5 0151/25 which attempted to get around the failures to comply with the conditions of the grant of permission under application 3758/22.



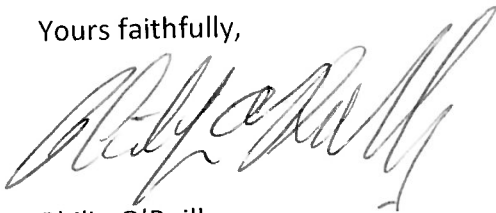
It is not admissible to attempt to circumvent the planning process and the Local Authority correctly judged that this application for section 5 exemption 0151/25 was not exempt.

It outlined fully valid reasons why this exemption application was refused and this should be upheld by the planning appeals board.

The reasons for refusal of this section 5 application for this proposal in this Z2 zoned area of houses of significant architectural character and significance are advised below.€

And I submit that I am entitled to make this submission, and I enclose the requisite fee of €50 which is the fee for an observation to a 1<sup>st</sup> party appeal.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Philip O'Reilly', written in a cursive style.

Philip O'Reilly

Having regard to Sections 2, 3 and 4 of the Planning and Development Act, 2000 (as amended) and Part 1 of Schedule 2, the Planning and Development Regulations 2001, as amended, the Planning Authority has concluded that: (a) the provision of a vehicular entrance gate with backing, as constructed, wooden fencing as part of side boundary at 73 Grosvenor Road with 74 Grosvenor Road and a decorative railing on the front boundary wall at 73 Grosvenor Road is development within the meaning of Section 3 of the Planning and Development Act, 2000, as amended, (b) the provision of a vehicular entrance gate with backing, as constructed, wooden fencing as part of side boundary at 73 Grosvenor Road with 74 Grosvenor Road and a decorative railing on the front boundary wall at 73 Grosvenor Road would not constitute exempted development, as they are not in accordance with the Conditions and Limitations under Class 5 of Part 2 of Schedule 1 of the Planning and Development Regulations (2001, as amended) as they are forward of the front building line of the house and exceed 1.2m in height. (c) And the abovementioned works were not shown in the drawings approved under the planning permission (Reg. Ref. 3758/22), and therefore fall outside the scope of the permission of Condition 1 and would not be in accordance with the submitted plans and particulars, contravening Condition 1 of the above-mentioned permission. The development would therefore require planning permission. The applicant should be advised accordingly.

