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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1191/20**

**Appeal** by John and Leah McKenna care of Node Architecture of 42 Dawson Street, Dublin against the decision made on the 8<sup>th</sup> day of July, 2020 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** 1. Demolition of non-original single storey extension to side of existing property, 2. construction of new two storey extension to side of existing house, 3. construction of new extension to rear of one, two and three stories, 4. attic conversion including new dormer window to rear, 5. new rooflights to existing roof and solar panels to roof of new dormer, 6. new single storey Garden Room to end of rear garden, 7. widening of existing vehicular entrance to front of property, 8. new hard and soft landscaping to the entire site and 9. all associated drainage and site development works at 56 Claremont Road, Sandymount, Dublin.

## Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 3 so that it shall be as follows for the reasons set out.

3. The proposed development shall be amended as follows:
  - (a) The mezzanine floor as shown in the drawing PA\_03-02 which is accessed from the master suite room shall be permanently omitted from the scheme. The height of the tower structure shall be reduced in line with the roof level of the master suite at first floor and as shown in drawing PA\_03-04.
  - (b) The dormer structure to the attic space shall have a maximum external width of 3.6 metres.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interests of residential and visual amenity.

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, the existing pattern of development in the area and the provisions of the Dublin City Development Plan 2016-2022, it is considered that, the proposed mezzanine level and tower structure would be visually obtrusive and a significant departure from and incongruous to, the existing dwellings on Claremont Road.

It is also considered that the proposed single storey extension to the rear and a dormer structure at attic level 3.6 metres in width, would not seriously injure the residential and visual amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**