



An  
Bord  
Pleanála

**Board Direction**  
**BD-001724-18**  
**ABP-302582-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/11/2018.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following condition for the retention of the conservatory at ground level and the garden shed as constructed in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the condition set out below

and

- (2) refuse permission for the proposed ground and first floor extensions based on the reasons and considerations marked (2) under.

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **REASONS AND CONSIDERATIONS (1)**

The proposed ground floor conservatory to be retained and garden shed to be retained as constructed (namely without sanitary facilities), are in keeping with the pattern of residential development in the area, do not cause overlooking of or overshadowing of neighbouring properties and are in accordance with the proper planning and sustainable development of the area.

## **CONDITION**

- 1 The development shall be retained in accordance with the plans and particulars lodged with the application 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.

## **REASONS AND CONSIDERATIONS (2)**

The proposed extension at ground floor and first floor level and the existing attic level shall be refused for the following reasons:

- 1 The proposed extensions would have an adverse impact on the scale and character of the dwelling, contrary to section 16.10.12 (Extensions and Alterations to Dwellings) of the Dublin City Development Plan 2016-2022. The proposed development would overlook, overshadow and overbear upon neighbouring property and consequently would be seriously injurious to the residential amenity of neighbouring homes contrary to the proper planning and sustainable development of the area.
- 2 The proposed development would dominate the existing building and would be of an overall shape and size not to harmonise with the existing house and nearby buildings including its conjoined neighbour. The proposed extension does not adopt the subordinate approach to the provision of extensions or reflect the character of the area, in terms of scale, design or materials, or reflect the surrounding buildings in terms of age and appearance, contrary to sections 17.7, 17.8 and 17.11 (respectively) of Appendix 17 (Guidelines for Residential Extensions) of Dublin City Development Plan 2016-2022. Therefore the proposed development by itself or by the precedent a grant of permission would

set for similar excessive and out of character development would be contrary to the proper planning and sustainable development of the area.

**Board Member:**

**Date:** 20/11/2018

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Michelle Fagan

NOTE: The Board noted that the proposed development relates to a structure which is unauthorised and that the proposed development would comprise the extension and alteration of this unauthorised structure. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of a permission for the proposed development in such circumstances.

Please attach a copy of the board direction with the board order.