

An
Bord
Pleanála

**Board Direction
ABP-309322-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/07/2021.

The Board decided, as set out in the following Order, that the replacement of an existing log cabin structure located beyond the front wall of the existing dwelling and alterations to boundary wall at 6 Glenalua Road, Killiney, County Dublin, is development and is not exempted development.

Board Order as follows:-

WHEREAS a question has arisen as to whether the replacement of a log cabin and alterations to the boundary wall at No. 6 Glenalua Road, Killiney, County Dublin is or is not development or is or is not exempted development,

AND WHEREAS Hughes Planning and Development Consultants, 70 Pearse Street, Dublin 2, requested a declaration on this question from Council and the Council issued a declaration on the 4th day of January 2021, stating that the matter was development and was not exempted development,

AND WHEREAS Hughes Planning and Development Consultants, 70 Pearse Street, Dublin 2, referred this declaration for review to An Bord Pleanála on the 28th day of January 2021,

AND WHEREAS An Bord Pleanála, in considering this referral, had regard to, in particular –

- (a) Sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 4(1)(h) and Section 82(1) of the Planning and Development Act 2000, as amended,
- (c) article 6(1) and article 9(1) of the Planning and Development Regulations 2001 as amended,
- (d) Class 3 and Class 5 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001 as amended,
- (e) the character and pattern of development in the area, and
- (f) the planning history of the site,

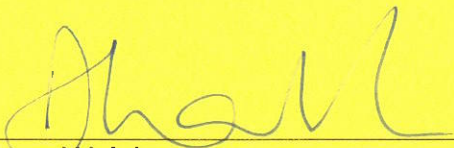
AND WHEREAS An Bord Pleanála has concluded that:

- (a) The alterations to the boundary wall would materially affect the external appearance of the structure so as to render the appearance inconsistent with neighbouring structures as defined under Section 4(1)(h) of the Planning and Development Act 2000, as amended;
- (b) The replacement log cabin directly on top of the stone boundary wall, with a higher structure with a large window in the side elevation, painted a bright colour on this elevated and prominent site, would materially affect the character of the Killiney Architectural Conservation Area;
- (c) The replacement log cabin does not fall within the scope of Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, as it is located forward of the front wall of a house at No.7 Glenalua Road and the finishes do not conform with the existing house; and

(d) The alterations to the side boundary wall do not fall within the scope of Class 5 of Schedule 2 of the Planning and Development Regulations 2001, as amended, as the overall height of both the existing stone wall and the log cabin which now forms part of the boundary wall at this location exceeds 2 metres;

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) of the 2000 Act, hereby decides that the replacement log cabin and alterations to the boundary is development and is not exempted development.

Board Member:



Dave Walsh

Date: 22/07/2021

