



An
Bord
Pleanála

Board Direction
BD-015328-24
ABP-315853-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/02/2024.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Remove condition number 3, for the following reasons and considerations

Reasons and Considerations

Having regard to the existing pattern of development in the area, and to the nature, scale and design of the proposed development including roof alterations, dormer extension and rear single storey extension to an existing two-storey dwelling at the end of a terrace, and the orientation of the existing house and proposed extension and dormer extension relative to the existing adjoining house to its north-north east, it is considered that the proposed development would not be seriously injurious to the residential amenities of adjoining properties or the visual amenities of the area and the alterations that would be required by Condition Number 3 attached to the planning decision are not therefore necessary.

Note:

In disagreeing with the reporting inspection that part 'd' of Condition 3 attached by the planning authority to its decision should remain, the Board did not share the inspector's view that this part of the condition is necessary in order to protect the

residential amenity of the adjoining property, on the basis of the proposed height, scale and orientation of the proposed extension, presented as a single storey design response and the Board was satisfied that the extension would not give rise to any overlooking and impacts from overshadowing would be minor and acceptable in the context of the location and the recognition for the need to adapt and extend houses. The Board also took into account that the garden size is such that there would be sufficient private amenity/garden space remaining to serve the host house and that otherwise the proposal for a single storey extension of the size and scale proposed is acceptable and would be in accordance with the relevant provisions of the Dublin City Development Plan 2022-2028 including guidance on Ancillary Residential Accommodation set out in Appendix 18, and would therefore be in accordance with the proper planning and sustainable development of the area.

Board Member: *Patricia Calleary* **Date:** 02/02/2024
Patricia Calleary