

An
Bord
Pleanála

Board Direction
BD-016558-24
ABP-317845-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/06/2024.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

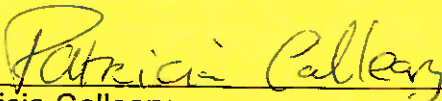
The proposed balcony at upper ground level is considered to be seriously injurious to the amenity of the host property due to its location above an existing lower ground floor window and on the neighbouring properties in relation to overlooking and as such is considered contrary to Appendix 18 (Residential Extensions), section 1.4 of the Dublin City Development Plan 2022-2028, in respect of privacy and amenity. This element of the proposed development would also be contrary to the Z1 zoning objective of the site which seeks to protect, provide and improve residential amenities. The proposed projecting dormer window to the rear would be visible from the directly adjoining streetscape at Portobello Harbour, because of its gable presentation onto the street and while it would not be of any significant scale, because of the roof interruption of one of the houses in the uniform terrace that would result, it would negatively impact on the existing original form and character of the terrace, being a terrace identified on the National Inventory of Architectural Heritage of regional importance. This is particularly so in the absence of any conservation assessment report accompanying the application or appeal report justifying the proposal.

The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Note:

In deciding not to accept the inspector's recommendation to issue a split decision, the Board agreed with the inspector's recommendation to refuse the balcony element. However, the Board did not agree with the inspector's recommendation to grant the dormer element of the proposed development. In this regard, the Board did not share the view of the inspector that the scale of the proposed dormer as amended by the planning authority is such that it would complement the existing roof profile and be sympathetic to the overall design of the dwelling and would remain a subordinate structure or that the dormer is in keeping with the pattern of development in the area (as set out in Section 7.2.4 of the inspector's report). This was particularly so in the absence of any conservation assessment received in support of the application or appeal. The Board noted the specific site context and the fact that the dwelling is one of a terrace that has retained much of its original form and character. In this context, the Board considered the dormer element would result in a discordant interruption in the roof that would alter the established architectural merit of the terrace particularly that the terrace is listed on the NIAH as being of regional importance and accordingly reached a different conclusion than the inspector on this matter. The Board did not have any particular issue with the proposal for two roof lights to the front of the roof plane, however, as these roof windows constitute an integral part of the overall development of the existing roof space, given the Board's reason for refusal of the dormer element at roof level, the Board concluded that it was reasonable and appropriate that this element would also be refused.

Board Member


Patricia Calleary

Date: 12/06/2024