# An Bord Pleanála



#### PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

#### **Dublin City**

Planning Register Reference Number: 4269/15

An Bord Pleanála Reference Number: PL 29S.246276

APPEAL by John Burke care of T.J. Gallagher and Company of 85 Castleknock Park, Castleknock, Dublin against the decision made on the 12<sup>th</sup> day of February, 2016 by Dublin City Council in relation to an application by the said John Burke for permission for retention of alterations to existing window to rear at top floor level, comprising of two inward opening doors with armored plate glass guard on the outside and alteration to dormer roof. Retention of decking, trellis and planting to roof of single storey extension at 59 Ringsend Road, Ringsend, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the retention of alterations to existing window to rear at top floor level, comprising of two inward opening doors with armored plate glass guard on the outside and alteration to dormer roof and to refuse permission for the retention of decking, trellis and planting to roof of single storey extension):

#### **DECISION**

GRANT permission for retention of alterations to existing window to rear at top floor level, comprising of two inward opening doors with armored plate glass guard on the outside and alteration to dormer roof in accordance with the said plans and particulars based on the reasons and considerations marked (1) under. REFUSE permission for the retention of decking, trellis and planting to roof of single storey extension based on the reasons and considerations marked (2) under.

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### **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.

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

Having regard to the planning history of the subject site, to the pattern of development in the vicinity and to the nature and scale of the proposed development, which comprises a dormer window to the rear of the subject property, it is considered that this element of the development for which retention is sought would not seriously injure the 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.

# **REASONS AND CONSIDERATONS (2)**

Having regard to the elevated location of the development for which retention is sought, which comprises an outdoor terrace at first floor level comprising decking, trellis and planting over a single storey rear extension, and having regard to its proximity to adjoining residential properties, it is considered that the retention of this element of the development would seriously injure the residential amenities of neighbouring properties by way of overlooking, loss of privacy, overshadowing, noise and general disturbance. This element of the development for which retention is sought would, therefore, be contrary to the Z2 zoning objective which seeks to "protect the amenities of residential conservation areas", as set out the Dublin City Development Plan, 2011-2017, and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.

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