

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 2100/16**

An Bord Pleanála Reference Number: PL 29N.246381

**APPEAL** by Karl O'Grady care of Darragh McAdam of Tirnaneil, Monaghan, County Monaghan against the decision made on the 14<sup>th</sup> day of March, 2016 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of new single and two-storey extension to rear with new velux rooflights to front and rear of existing two-storey terraced dwelling at 11 Bantry Road, Drumcondra, Dublin.

## **DECISION**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** condition number 3 so that it shall be as follows for the reason set out:

- (3) The extent to which the proposed first floor rear extension projects beyond the main rear elevation of the existing dwelling shall be reduced in length by one metre.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity.

### **REASONS AND CONSIDERATIONS**

Having regard to the existing character and pattern of development in the vicinity of the site and the configuration of the rear of the existing dwelling vis-à-vis neighbouring dwellings, it is considered that the proposed extension at first floor level to the rear could be accommodated without undue injury to the residential amenities of the adjoining dwellings or of dwellings in the vicinity of the site provided the maximum length of the first floor extension was reduced by a distance of one metre.

In deciding not to accept the Planning Inspector's recommendation to restrict the length of the proposed rear extension at first floor level to a maximum length of 3.5 metres, the Board had regard to the configuration of the rear of the existing dwelling vis-à-vis the neighbouring dwellings including the immediately adjoining dwelling to the north and considered that a projection beyond the distance recommended by the Planning Inspector could be accommodated without undue injury to the residential amenity of this or other dwellings by reason of overlooking, overshadowing or overbearing.

## **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.

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

**Dated this      day of                                  2016.**