An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2746/16

An Bord Pleanála Reference Number: PL 29N.246896

APPEAL by Rebecca Kehoe and Brian Tyrrell of 11 James Street North, North Strand, Dublin against the decision made on the 16th day of June, 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: Erection of part two-storey/part single storey extension to rear, and roof terrace at second floor level over proposed extension, all to rear of two-storey terraced house, all at 11 James Street North, North Wall, 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 (1) The rear first floor extension shall be modified as follows:
 - (a) the rearward projection shall be reduced by one metre (dimension 3656 mm reduced to 2656 mm), and
 - (b) the width shall be reduced adjacent to the window serving No.14 (dimension 3069 mm reduced to 2769 mm);

(2) The size of the rear first floor window serving the new bedroom shall be reduced so that it is not more than 900 mm wide by 1500mm tall.

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

Reason: In the interest of the residential amenities of surrounding properties.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area and the size and orientation of the site, it is considered that the proposed rear extension at first floor level is acceptable subject to some reduction in scale of the new bedroom to the rear, and the reduction in scale of the proposed rear window. Both of these changes will reduce the impact of the development on neighbouring houses to an acceptable level. It is considered that the proposed roof terrace, which will be largely hidden from view and set behind pitched tiled roof, would not impinge on the visual or residential amenities of the area and would not set an undesirable precedent. The Board therefore decided to amend condition number 3 as imposed by the planning authority.

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.

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

Dated this day of

2016.