

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 3216/16**

An Bord Pleanála Reference Number: PL 29N.247242

**APPEAL** by Rita Carney care of AKM of Unit 9, 1<sup>st</sup> Floor, Trinity Court, Fonthill Business Park, Fonthill Road, Dublin against the decision made on the 22<sup>nd</sup> day of August, 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:** Demolition of existing single storey rear extension, store and removal of chimney, reduction in the floor levels of existing house and construction of two-storey rear extension to create a two bedroom two-storey dwelling. Two number velux rooflights to the front roof, one number rooflight to the rear roof and associated works, all at 16 Innisfallen Parade, Phibsborough, Dublin.

## **DECISION**

Having regard to the nature of the conditions 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 **REMOVE** condition number 3 and the reason therefor and to **AMEND** condition number 2 so that it shall be as follows for the reason set out.

2. The proposed development shall be amended as follows:
- (a) The rear extension shall consist of a single-storey extension with 'A' type roof above, which may be used to provide for accommodation in the roofspace with a window in the rear gable.
  - (b) The use of the area in the front roof shall be agreed in writing with the planning authority.

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

**Reason:** In the interests of visual and residential amenity.

### **REASONS AND CONSIDERATIONS**

Having regard to the small scale of the existing house, and the scale and two-storey height of the proposed development, it is considered that the proposed development would not constitute a subordinate extension, would adversely affect the scale and character of the existing house, and would contravene the provisions of Section 16.10.12 (Extensions and Alterations to Dwellings) of the Dublin City Development Plan 2016 – 2022. Furthermore, having regard to its proximity to existing dwellings, it is considered that the scale and height of the proposed development would result in a loss of daylight and an overbearing impact on neighbouring residential amenity. The attachment of a condition in this respect was, therefore, considered appropriate. It is also considered that the use of the area in the front roof would be more appropriately addressed by the planning authority as a matter of detail, in light of the revised drawings to be submitted showing the omission of the proposed first floor. Finally, the Board was satisfied that the velux rooflights as proposed would not so seriously injure visual amenity as to require amendment.

Having regard to the existing finishes to similar properties in close proximity, it is considered that the proposed brick finish would be acceptable, and that condition number 3 should be removed.

### **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                      2017.**