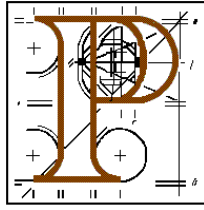


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3589/16

An Bord Pleanála Reference Number: PL 29S.247520

APPEAL by Tony Brennan of 79 Aughavannagh Road, Crumlin, Dublin against the decision made on the 12th day of October, 2016 by Dublin City Council to grant subject to conditions a permission to Stephen Rice care of Paul Redmond Architectural Services Limited of 50 River Forest View, Leixlip, County Kildare.

PROPOSED DEVELOPMENT: Retention of single storey bedroom extension to front and for alterations to previously granted permission under planning register reference 2672/15 and An Bord Pleanála appeal number PL 29S.245140, to include the replacement of a flat roof over part of the extension to the rear with a pitched roof, and a parapet wall along the adjoining boundary with Number 79 only, with alterations to internal layout and all associated site and drainage works at 77 Aughavannagh Road, Crumlin, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

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 pattern of development in the vicinity, including the streetscape pattern, the restricted nature of the site, and the scale, design and proximity to boundaries of the proposed extensions, it is considered that the extensions proposed for retention would seriously injure the visual amenities of the area and the residential amenities of adjacent property by reason of overbearing impact and overshadowing. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The development for which retention permission is proposed would materially contravene condition number 2 of permission granted under appeal reference number PL 29S.245240, which was imposed by An Bord Pleanála in order to protect the visual and residential amenities of the area and to bring the proposed development in line with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not consider that there were any grounds put forward that would merit a departure from the assessment and decision of the Board in the recent permission issued under appeal reference number PL 29S.245240 which stipulated the design changes necessary to make the proposed development acceptable in terms of the proper planning and sustainable development of the area. That decision was aligned with the planning authority's decision in the case (planning reference number 2672/15). The Board did not agree that the extensions to front and rear, as constructed, were acceptable, and did not consider that the amendment by condition recommended by the Inspector would address the protection of residential amenities adequately. Granting permission for retention in these circumstances would also set an undesirable precedent in terms of consistency in development control.

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

Dated this day of 2017.