

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dublin City**

**Planning Register Reference Number: 3745/16**

An Bord Pleanála Reference Number: PL 29N.247682

**APPEAL** by Fergus and Lisa Carolan care of Plantech Building Design and Technical Drawing Services of Unit 1, Office 23, North Park, North Road, Exit 5 (M50), Dublin against the decision made on the 8<sup>th</sup> day of November, 2016 by Dublin City Council grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Consisting of (1) Remodelling of existing ground floor layout including implementing a new glass sliding door to the rear of the kitchen and the addition of two number windows to the side of the kitchen wall. (2) A new first floor rear extension to consist of a bedroom. (3) Remodelling of existing first floor layout including the relocation of the bathroom. (4) Conversion of the attic space for use as a study/playroom. Works proposed involve modifications to the original roof of the dwelling to form a side gable and rear gable build up with tiled apex roofs, all drainage, structural and associated site works at 9 The Paddock, Blackhorse Avenue, 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 2, so that it shall be as follows for the reason set out.

2. The proposed development at roof level shall be amended so that the gable end roof extension shall be omitted and the existing hipped roof profile shall be retained. Revised drawings showing compliance with this modification shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interests of the visual amenity of the area and the character of the dwellings when viewed from The Paddock.

## **REASONS AND CONSIDERATIONS**

Having regard to the limited nature and extent of the proposed development and the limited projection of the first floor and attic to the rear, the Board did not consider that the construction of the extension would so injure the visual or residential amenities of the area or of property in the vicinity to warrant condition number 2a) and b) as attached by the planning authority. The Board considered that the proposed hipped element of the extension to the side of the existing dwelling, would seriously injure the visual amenity of the area and the character of the dwellings when viewed from The Paddock and therefore, amended condition number 2 to solely reflect the requirements of condition number 2c) as stated in the planning authority's notification of decision to grant planning permission.

In deciding not to accept the Inspector's recommendation to attach condition number 2, the Board did not consider that the construction of the rear extension element would seriously injure the visual or residential amenities of the area or of property in the vicinity to warrant the attachment of condition number 2a) and b). The Board concurred with the Inspector in respect of condition number 2c) and, therefore, amended condition number 2 accordingly.

## **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                      2017.**