

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D16B/0478**

An Bord Pleanála Reference Number: PL 06D.248032

**APPEAL** by Damien Tierney and Carol Wallace care of Plantech Building Design and Technical Services of Unit 1, Office 23, North Park, North Road, Dublin against the decision made on the 23<sup>rd</sup> day of January, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** A two-storey rear extension incorporating a living room at ground floor and bedroom at first floor, with a tiled apex roof above. Part internal remodel of ground and first floor to suite the proposed layouts, all structural, drainage and associated site works to be implemented. All at 15 Ridge Hill, Glenageary, Ballybrack, County 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 ATTACH condition number 2 (b) and 2 (c) and the reason therefor.

## **REASONS AND CONSIDERATIONS**

Having regard to the design and nature of the extension proposed and also having regard to the residential amenity being provided for by the proposed development, it is considered that the proposed first floor window and roof profile would seriously injure the visual and residential amenities of the area, would set an undesirable precedent and would not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the inspector's recommendation to remove condition number 2 (b) and 2 (c), the Board considered that the proposed first floor window and roof profile were visually incongruous and would seriously injure the visual and residential amenities of the area and, therefore, would not be in accordance with the proper planning and sustainable development of the area.

## **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.**