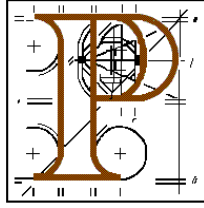


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Dublin City**

**Planning Register Reference Number: 4454/16**

An Bord Pleanála Reference Number: PL 29S.248212

**APPEAL** by Abigail O'Brien and Hugh Bradley care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin against the decision made on the 24<sup>th</sup> day of February, 2017 by Dublin City Council to refuse permission.

**PROPOSED DEVELOPMENT:** (i) Retention in perpetuity of the extension of the balcony at the rear ground floor level for ancillary residential use which is 1.76 metres over garden level to the dwelling and is located over the services utility room in the undercroft to the balcony, the area of the balcony which was previously permitted was 4.8 square metres and the additional area is 13.9 square metres resulting in a total balcony area of 18.7 square metres, (ii) and retention in perpetuity of the extension of the services utility roof underneath the extended balcony area and relocation of steps to the balcony from garden level for ancillary residential use, the area of the undercroft store previously permitted was 4.8 square metres and the additional area is 10.2 square metres, that is a total area of 15 square metres, (iii) permission for the erection of timber screen 1.8 metres high to the southern boundary of the balcony which matches the existing timber screen on the northern boundary of the balcony, new section of timber screen 1.8 metres high on northern boundary and frameless glazing balustrade to the eastern boundary and to the steps and screen planting; all of which works consist of modifications to the existing permitted balcony area and undercroft store room as permitted by reference to planning register reference number 1425/02, at the rear of 32 Wellington Road (a protected structure), Ballsbridge, 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 provisions of the Dublin City Development Plan 2016-2022 and the provisions set out under Section 11.1.5.3 in relation to works to Protected Structures, to the pattern of development and the planning history of the site and to the nature, scale, design and location of the development proposed for retention to the rear of a Protected Structure, it is considered that the development proposed for retention and the proposed development would adversely affect the character and setting of the Protected Structure, and in particular the traditional proportionate relationship in scale between buildings, returns and gardens would not be retained. The development proposed for retention and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the provisions of the Dublin City Development Plan 2016-2022 and to the nature, scale and location of the development proposed for retention and the proposed development within an area covered by the “Z2” zoning objective which seeks “To protect and/or improve the amenities of residential conservation areas”, it is considered that the development proposed for retention and the proposed development would seriously injure the residential amenities of neighbouring properties by reason of visual intrusion, overlooking and loss of privacy. The development proposed for retention and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2017.**