# An Bord Pleanála



## PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## **Dublin City**

Planning Register Reference Number: 4473/16

An Bord Pleanála Reference Number: PL 29S.248243

**APPEAL** by Ann-Marie and David Murtagh care of Delahunty and Harley Architects of 122 Merrion Road, Ballsbridge, Dublin against the decision made on the 24<sup>th</sup> day of February, 2017 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Ground and first floor extension to rear, internal modifications and associated site works to existing two-storey terraced house to provide an extended living area at ground floor, and additional bedroom at first floor level return at 35 Mountpleasant Avenue Upper, Ranelagh, 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 ATTACH condition number 8 and the reasons therefor and to AMEND condition number 3 so that it shall be as follows for the reasons set out.

## 3. The development shall be modified as follows:

The first floor extension shall be modified such that the existing chimney and rear elevation is retained and any extensions does not extend beyond the existing first floor return rear wall and does not extend over the shoulder of the existing gable. Prior to the commencement of the development, the applicant shall submit and agree revised plan, section and elevation drawings in writing with the planning authority.

**Reason:** In the interest of the protection of the residential amenities of the adjoining property and the protection and integrity of existing historical fabric and architectural character of the Residential Conservation Area.

## **REASONS AND CONSIDERATIONS**

It is considered that subject to the amendment of condition number 3 and the inclusion of condition number 8, the proposed development would not seriously injure the residential amenities of the adjoining property and would not adversely impact the integrity and character of the existing building and adjoining buildings on Mountpleasant Avenue Upper within the Residential Conservation Area and would, therefore, 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.

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

Dated this day of 2017.

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