



An  
Bord  
Pleanála

**Board Order**  
**PL 06S.248639**

---

**Planning and Development Acts 2000 to 2017**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD17B/0105**

**Appeal** by Paul Magahran care of G. F. Irvine Architect of 11 Mather Road South, Mount Merrion, County Dublin against the decision made on the 11th day of May, 2017 by South Dublin County Council to grant subject to conditions a permission to Nicola Rautenbach and Michael Smith care of Niall Jones and Associates of “Somerton House”, Ballyboden Road, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Relocation of the hall door entrance into the centre of the front elevation with canopy over, construction of a new two-storey double pitched roof extension to side, consisting of infilling the side passageway and extending previously converted car port at ground level with new playroom, cloak room, shower roof and widened utility (20.69 square metres), with new walk-in wardrobe, ensuite and widened rear bedroom 20.23 square metres), while maintaining a one metre wide gap with the adjoining property at first floor level with new frosted window to side elevation and all associated site works at 82 Ashton Avenue, Knocklyon, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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**

Having regard to the zoning of the site, the scale, layout and design of the proposed extension, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, including a redesign of the front facade, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out in accordance with the agree particular.

**Reason:** In the interest of clarity.

2. The proposed development shall be modified as follows:
- (a) the alterations to the front elevation of the existing living room are not permitted,
  - (b) the proposed two storey side extension shall be set back by at least one metre from the front elevation of the house, and
  - (c) the front door to the house shall be located in the side extension (or alternatively the side extension can be set further back from the front elevation, enabling a front door to enter into the western elevation of what is currently the living room.)

Revised drawings incorporating these requirements (and including materials, colours and textures of all the external finishes) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity. The Board considered that the attractiveness of the streetscape at this location derives from the repetitive and consistent building form and elevational treatment of the dwellings, and considered that a proposal to re-cast the front elevation, replacing existing windows with a central doorway, would disrupt that rhythm, and might set an undesirable precedent. Furthermore, setting back the side extension behind the front building line is considered necessary and beneficial in distinguishing the existing dwelling from the extension.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

