

Board Order PL 29N.248653

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2511/17

Appeal by Brian Kelly care of Michael O'Connor Associates of 18 Lissadel Wood, Malahide, County Dublin against the decision made on the 12th day of May, 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: (1) Demolition of existing ground floor extension to the rear, (2) reduce the floor levels of the existing house, (3) construction of a two-storey extension to the rear, (4) conversion of part of the existing attic space to bedroom use, (5) two number two rooflights to the front elevation and all associated site works at 28 Innisfallen Parade, 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 and the reason therefor.

Reasons and Considerations

Having regard to the small scale of the existing house, and the scale and two-storey height of the proposed development, it is considered that the proposed development would not constitute a subordinate extension, would adversely affect the scale and character of the existing house, and would contravene the provisions of Section 16.10.12 (Extensions and Alterations to Dwellings) of the Dublin City Development Plan 2016 – 2022. Furthermore, having regard to its proximity to existing dwellings, it is considered that the scale and height of the proposed development would result in a loss of daylight and an overbearing impact on neighbouring residential amenity. The attachment of a condition in this respect was, therefore, considered appropriate.

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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