



An  
Bord  
Pleanála

**Board Order  
PL 29N.249225**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2591/17**

**Appeal** by Arran Keegan of 4 Rose Court, Amersham, United Kingdom against the decision made on the 15<sup>th</sup> day of August, 2017 by Dublin City Council to grant subject to conditions a permission to William Walsh care of Edmond J. Desmond and Associates of 85 Seatown Villas, Swords, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of first floor extension over existing single storey extension to rear and new porch to front, at 21 Clanmoyle Road, Donnycarney, 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 provisions of the Dublin City Development Plan 2016-2022, the nature and scale of the proposed development and the pattern of existing development in the vicinity, together with the information submitted as part of the planning application and the appeal, the Board is satisfied that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of design and scale and would not seriously injure the residential amenities of existing adjacent properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the reduction in length of the proposed first-floor extension by way of condition is a reasonable solution in planning terms and would mitigate the concerns expressed by the appellant in terms of overshadowing and overbearing on number 22 Clanmoyle Road.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19<sup>th</sup> day of July 2017, 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 and completed in accordance with the agreed particulars.

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

2. The proposed first floor extension shall be amended such that it shall not extend more than two metres from the rear wall of the existing property. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To mitigate the overshadowing and overbearing effect of the proposed development on number 22 Clanmoyle Road.

3. Details of the external finishes of the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

