



An
Bord
Pleanála

Board Order
PL 29S.249265

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3304/17

Appeal by Vivienne Maher and Ed Riordan care of Coakley O'Neill Town Planning Limited of NSC Campus, Mahon, Cork against the decision made on the 25th day of August, 2017 by Dublin City Council to grant subject to conditions a permission to Brian Morrow care of Simon Beale Associates of Main Street, Castlerea, County Roscommon in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Demolition of a single storey extension to the rear of an existing dwellinghouse, (2) construction of a two storey extension to the side and rear of an existing dwellinghouse, (3) alterations to the front (roadside) elevation and (4) construction of a chalet to the rear of the property, together with all ancillary site works, all at 18 O'Donovan Road, South Circular Road, 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 nature and scale of the proposed development, to the pattern of development in the area and to the provisions of the Dublin City Development Plan 2016-2022 the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would 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 noted the concerns of the Inspector with regard to overlooking of the adjoining house to the north, number 48 Saint Thomas Road, however, it considered that the concerns could be addressed by condition and thereby mitigated.

Conditions

1. The 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 and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The first floor master bedroom shall be omitted and the new rear building line shall be in line with that of number 17 O'Donovan Road from the western side of the house to the inner corner of the en-suite bathroom and from there return parallel to the building line of number 19 O'Donovan Road. The resulting flat roof area shall be finished in sedum and be accessible only for maintenance purposes. Revised plans showing compliance with these amendments shall be submitted to and agreed in writing with the planning authority prior to commencement of works on site.

Reason: In the interest of residential amenity

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling and in the interest of the amenities of the area.

