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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4425/17**

**Appeal** by Eoin and Isobel Kidd care of RM Duffy Architecture of 8 Thompson's Cottages, Summerhill, Dublin against the decision made on the 6<sup>th</sup> day of February, 2018 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of the existing ground floor single storey extension and artist's studio to the rear, and the construction of two storey extension comprising kitchen, artist's studio, and ancillary spaces, with glazed link to main dwelling, and a new courtyard garden, all at 10 Vernon Avenue, Clontarf, 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 AMEND condition number 2 so that it shall be as follows for the reason set out and to ATTACH a further condition number 8 so that it shall be as follows for the reason set out.

2. The proposed development shall be amended as follows and revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development: - The first-floor level of the rear extension shall be set back 0.6 metres from the boundary with number 12 and the roof detail and elevations shall be revised to incorporate this.

**Reason:** To protect existing residential amenities of neighbouring development.

8. The artist's studio shall be ancillary to the domestic use at number 10 Vernon Avenue and shall not be sold or let or otherwise subdivided from the property.

**Reason:** To control the intensity of use on the site and in the interest of amenity.

## **Reasons and Considerations**

Having regard to the juxtaposition of the existing property on the site with the dwelling at number 12 Vernon Avenue, and the corner site location, it is considered that, subject to compliance with the amended condition and attachment of a further condition, the proposed development would be acceptable in terms of scale and character and would not seriously injure the residential and visual amenities of the area. The proposed development 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.

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

**Dated this            day of            2018.**