



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3379/18

Appeal by Michael and Louise Shortt care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 22nd day of August, 2018 by Dublin City Council to refuse permission to the said Michael and Louise Shortt for development comprising retention permission for the existing single-storey ground floor conservatory and block shed to the rear, planning permission for the new rear ground floor and first floor extensions with associated internal alterations for an additional one number bedroom at first floor bringing the total bedrooms to six bedrooms, and planning permission for an extension to the existing single-storey block shed at the rear for a games room, all with associated site development works, at 86 Kimmage Road West, Dublin in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for the retention of the existing single-storey ground floor conservatory and block shed, as constructed to the rear in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for the proposed new rear ground floor and first floor extensions with associated internal alterations for an additional one number bedroom at first floor bringing the total bedrooms to six bedrooms and permission for an extension to the existing single-storey block shed at the rear for a games room, all with associated site development works based on the reasons and considerations marked (2) under

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 (1)

The proposed ground floor conservatory to be retained and garden shed to be retained as constructed (namely without sanitary facilities), are in keeping with the pattern of residential development in the area, do not cause overlooking or overshadowing of neighbouring properties and are in accordance with the proper planning and sustainable development of the area.

Condition

1. The development shall be retained in accordance with the plans and particulars lodged with the application.

Reason: In the interest of clarity.

Reasons and Considerations (2)

1. The proposed extensions would have an adverse impact on the scale and character of the dwelling, contrary to section 16.10.12 (Extensions and Alterations to Dwellings) as set out in the Dublin City Development Plan 2016-2022. The proposed development would overlook, overshadow and overbear upon neighbouring property and would, therefore, seriously injure the residential amenity of neighbouring homes and be contrary to the proper planning and sustainable development of the area.
2. The proposed development would dominate the existing building and would be of an overall shape and size that would not harmonise with the existing house and nearby buildings including its conjoined neighbour. The proposed extension does not adopt the subordinate approach to the provision of extensions or reflect the character of the area, in terms of scale, design or materials, or reflect the surrounding buildings in terms of age and appearance, contrary to sections 17.7, 17.8 and 17.11 (respectively) of Appendix 17 (Guidelines for Residential Extensions), as set out in the Dublin City Development Plan 2016-2022. The proposed development therefore, either by itself or by the precedent a grant of permission would set for similar excessive and out of character development, would be contrary to the proper planning and sustainable development of the area.

Michelle Fagan

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

Dated this day of 2018.