



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3859/18

Appeal by Caroline Devlin and Colm Ó Sé care of John Spain Associates of 39 Fitzwilliam Place, Dublin against the decision made on the 26th day of October, 2018 by Dublin City Council in relation to an application for permission for retention of alterations to previously approved garden room/store (planning register reference number 3834/17). The alterations include (a) increase in floor area, (b) increase in roof ridge height, (c) change of pitched roof profile, (d) change of external finish to garden elevation and (e) opening of attic space to create mezzanine storage area, all to rear of number 24 Morehampton Road, Donnybrook, Dublin, a protected structure in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the change of external finish to the garden elevation and to refuse permission for an increase in floor area, increase in roof ridge height, change of pitched roof profile and opening of attic space to create mezzanine storage area).

Decision

GRANT permission for the change of the external finish to garden elevation in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the condition set out below. **REFUSE** permission for retention of the increase in floor area, increase in roof ridge height, change of pitched roof profile and opening of the attic space to create a mezzanine storage area 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)

Having regard to the nature of the external finish proposed for retention, it is considered that the change of finish to the garden elevation of the garden room would not seriously injure the visual amenities of properties in the vicinity and would accord with the proper planning and sustainable development of the area.

Condition

1. The development shall be in accordance with condition numbers 1-5 attached to the grant of permission under planning register reference number 3834/17, except as amended to confirm with the provisions indicated in the plans lodged in connection with the application.

Reason: To ensure consistency with the previously permitted development.

Reasons and Considerations (2)

The site is located within an area zoned Z2: 'to protect and improve the amenities of residential conservation areas' in the Dublin City Development Plan 2016-2022. The development proposed to be retained, because of the roof height, the altered roof profile and the resulting rear parapet, seriously injures the visual amenities of the area, and as such, fails to comply with the zoning objective for the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.