



Planning and Development Acts 2000 to 2019

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D19A/0029

Appeal by Niall and Lynn McCoy of 3 Phoenix Terrace, Booterstown, Blackrock, County Dublin against the decision made on the 7th day of March, 2019 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for development at a mid-terrace, two-storey over basement, two-bedroom house, with two-storey rear return consisting of removal of existing rear-return roof, half landing window, redundant chimney stack at rear of return and parts of rear wall. Works are to facilitate construction of an additional second floor bedroom with lime render, zinc and slate cladding, replacement of rear-return roof and new firewall at return party wall. Part of the window will be relocated in the rear wall, plus all associated works; all at a, all at 3 Phoenix Terrace (a protected structure), Booterstown, Blackrock, County 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 REMOVE condition number 4(a) and ATTACH condition number 4(b).

Reasons and Considerations

Having regard to the zoning objective for the area as set out in the Dun Laoghaire Rathdown County Development Plan 2016 – 2022, the established pattern of development in the area, and the nature, scale and design of the proposed development, it is considered that the provision of two zinc clad ‘outshoots’ on the south-western façade of the rear return would detract from the character of the protected structure at this location, would seriously injure the visual amenity of the area, and would contravene Policy AR1 and Section 8.2.11.2 (i) of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.