



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 2739/19

Appeal by Abbas Ali O'Shea care of Green Design Build of 142 Upper Leeson Street, Dublin against the decision made on the 4th day of June, 2019 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: A single storey extension to side/rear with three number Velux windows, a two-storey gable end extension to side, removal of chimney and garage, widen vehicular access to 4.3 metres to match neighbours, alterations to vehicular access and associated works at 9 Collins Park, Dublin.

Decision

Having regard to the nature of the condition 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.

2. The proposed development shall be amended as follows:

The proposed gable-end roof extension over the proposed two-storey side extension shall be omitted and replaced with a hipped roof, matching the pitch of the roof to the house on site.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

Reasons and Considerations

Having regard to the nature and scale of the proposed development and the pattern of development in the area, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of condition numbers 2 (a) and 2 (c) and the imposition of a reduced roof ridge height under condition number 2 (b), are not warranted, and the modifications to the proposed development, as required by the planning authority in its imposition of a hipped roof under condition number 2 (b), is warranted, and that the proposed development, with the omission of condition numbers 2 (a) and 2 (c) and the amendment of condition number 2 (b), would be in accordance with the provisions of the Dublin City Development Plan 2016-2022, would safeguard the visual amenities of the area, and 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.

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

Dated this day of 2019.