



Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20B/0529

Appeal by David Doyle and Ruth Brennan care of Optimise Design of 34 Fitzwilliam Street Upper, Dublin against the decision made on the 24th day of February, 2021 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing conservatory to rear; construction of single storey extension to rear with flat roof and two roof lights; construction of double storey extension to rear with flat roof; amendments to glazing on first floor on side (south) elevation; one dormer window to the rear roof façade and one roof light to front roof façade; widen vehicular access, internal modifications and all ancillary works at 34 Marian Crescent, Rathfarnham, 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. (a) The proposed ground floor rear extension, including the roof, shall be reduced in height to so that it does not exceed 3,366 millimetres above ground level.
- (b) The first-floor extension to bedroom number 2 shall be omitted.
- (c) The dormer shall be set at least three tile courses from the eaves.
- (d) The internal layout to be amended accordingly.

Revised section, plan and elevation drawings showing compliance with these amendments shall be submitted and agreed in writing with the planning authority prior to commencement of development.”

Reason: In the interest of the protection of the amenities of the adjoining property.

Reasons and Considerations

It is considered that, subject to compliance with the requirements of the revised condition number 2, the proposed development would not be overbearing in impact, would not seriously injure the residential amenity of the adjoining property and would 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 ^{17th} day of *June* 2021.

