

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1792/21

Appeal by Kathleen and David Lonergan care of Works Architectural and Design of 60 Haddington Road, Ballsbridge, Dublin against the decision made on the 14th day of September, 2021 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of addition of new second floor rear extension above existing two-storey rear return; alteration of existing rear roof of main house and addition of new setback roof extension to provide ceiling height for habitable room; addition of raised planting area to rear roof for privacy; and all ancillary works necessary to facilitate the development at 44 Clayton Terrace, Saint Laurence Road, Chapelizod, Dublin.

AM36

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 reasons set out.

2. (a) The box dormer located on the rear facing roof plane of the main roof structure shall be offset at least 500 millimetres from the adjoining boundaries and centred on the roof plane.
- (b) The external walls of the dormer shall be of a similar colour to the existing roof finish.
- (c) All fascia/soffits, rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof.

Reason: In the interests of visual and residential amenity.

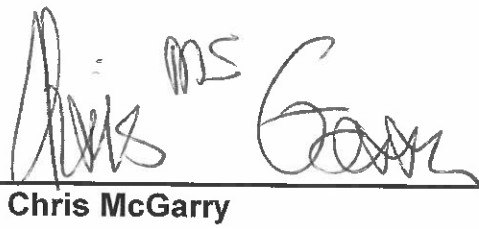
Reasons and Considerations

Having regard to the nature and scale of the proposed extensions to the rear of the property, to the pattern of development to the rear of properties along this terrace, it is considered that the proposed development, subject to compliance with the amended condition number 2, would not seriously injure the residential amenities of the area or of property in the vicinity by reason of overlooking, would not adversely affect the character of the Architectural Conservation Area and would constitute an acceptable form of domestic extension at this proposed location.

In deciding not to accept the recommendation of the Inspector to retain condition number 2, the Board considered that the proposed study room extension over the existing two storey rear return was modest in scale and would not materially affect the amenities of properties in the vicinity and that the positioning of the box dormer at the main roof plane with a setback of approximately 0.5 metres from eaves at the bedroom window element of the dormer, constituted an appropriate design response consistent with the proper planning and sustainable development of the area.

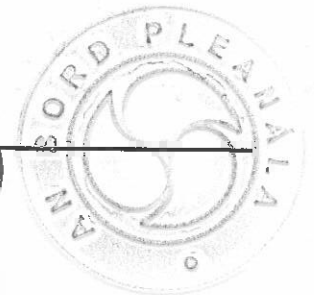
Matters Considered

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.



Chris McGarry

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



Dated this 9th day of February 2022.