



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1048/22

Appeal by Louise Smyth care of Virtus of 5th Floor, The Glass House, 11 Coke Lane, Smithfield, Dublin against the decision made on the 21st day of March, 2022 by Dublin City Council to grant subject to conditions a permission to Louise Smyth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Extension to existing dwelling. The proposed works will consist of a 55 square metre single storey, flat roof extension to the rear, a 5.7 square metre single storey extension to the side and a 36 square metre attic conversion with flat roof dormer extension to the rear of the existing 77.5 square metre single storey property, completed with a smooth render finish. The existing tiled pitched roof is extended circa 1.4 metres to the west to cover the side extension and finished with tiles salvaged from the proposed dormer area at the rear. The works also include alterations to the internal layout, widening the vehicular entrance by 520 millimetres, a new bike and bin store at the gated side lane and all associated site works, all at 58 The Demesne, Clontarf East, 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 3 so that it shall be as follows for the reason set out.

3. The proposed development shall be amended as follows:
 - (a) The roof extension to the side shall match the slope of the existing hipped roof exactly.
 - (b) The rear dormer shall be reduced in width to not exceed a maximum external width of 4.5 metres and shall be a minimum of 800 millimetres from the shared roof boundary with number 59 The Demesne.
 - (c) The window to the reduced dormer shall be no wider than 3.7 metres and shall be no taller than 1.5 metres from cill to lintel.

Reason: In the interest of the visual and residential amenities of the area.

Reasons and Considerations

Having regard to the following provisions of the current Dublin City Development Plan:

- the location of the site within a residential conservation area, wherein the zoning objective is 'To protect and/or improve the amenities of residential conservation areas', and
- Section 15.11 and Appendix 18 which, variously, address extensions and alterations and dormer extensions,

it is considered that condition number 3 attached by the planning authority to the permission would, subject to revised wording, ensure that the proposed dormer extension complies with the above cited provisions of the development plan. The proposed extension would be compatible with the visual and residential amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Mary Henchy

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

Dated this *30* day of *June* 2023.