

An
Bord
Pleanála

Board Order
ABP-313451-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3226/22

Appeal by Brian and Susan O'Callaghan care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 1st day of April, 2022 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development consisting of (i) the removal of existing single storey pitched roof rear extension; (ii) construction of new single storey flat roof rear extension; (iii) attic conversion to include three number dormer windows to front, side and rear of main roof; (iv) widening of existing vehicular entrance; (v) removal and replacement of front boundary wall and gates; (vi) minor alterations to all elevations, rooflights, landscaping and all associated works to facilitate the development, all at 45 Vernon Park, Clontarf, 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 ATTACH condition number 4 and the reason therefor, and 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:
 - (a) The proposed dormer to the front shall be omitted.
 - (b) The proposed side dormer shall be amended as follows:
 - (i) The side dormer shall be fully hipped to match the existing roof and shall have its ridge line set down below that of the main roof by at least 200 millimetres so that the side dormer shall sit fully within the plane of the main side hip roof as a separate floating subordinate feature with the existing roof tiles to the hipped roof being retained.
 - (ii) The window to the side dormer shall be centrally placed and shall be reduced in width to have a more vertical emphasis.
 - (c) The proposed rear dormer shall be amended as follows:
 - (i) The rear dormer shall be reduced in width by one metre with no part of the dormer projecting above the side roof plane and shall be fully disaggregated from the proposed side dormer.

- (ii) The rear elevation to the rear dormer shall be set back by a minimum of 500 millimetres from the rear wall of the original dwelling measuring horizontally.
 - (iii) The rear dormer shall sit fully within the plane of the rear roof as a separate floating subordinate feature with the existing ridge tiles to the hipped roof being retained.
 - (iv) The window in the face of the dormer shall comprise three number lights. It shall have a width of two metres and a height of 1.2 metres and it shall be centrally sited within the face of the dormer. This window shall have a cill height of 1.1 metres and it shall be clear glazed.
 - (v) The proposed rear rooflight shown on Drawing Number 21-702-P-12 dated April 2022 and submitted to the Board on the 27th day of April, 2022 shall be reduced in height to 0.9 metres.
- (d) All the rear and side dormer elevations, fascia/soffits, rainwater goods, window frames and glazing bars shall be finished in a dark colour so as to blend with the existing roof finish. White uPVC shall not be used.
- (e) The rear or side dormer shall not accommodate any solar panels whether or not they would be exempted development under the Planning and Development Act, 2000 (as amended).
- (f) The proposed rear single storey extension shall be in accordance with that which is shown on Drawings Numbers 21-702-P-12 and 13 dated April 2022 and submitted to the Board on the 27th day of

April, 2022, provided all rainwater goods are capable of being provided wholly within the site.

- (g) The grant of planning permission does not include the shed and storage structures within the front garden indicated on the proposed site plan (Drawing Number 21-702-P-08).

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing with, the planning authority, and such works shall be fully implemented prior to the occupation of the buildings.

Reason: In the interests of orderly development and visual amenity.

Reasons and Considerations

1. Having regard to the provisions of Section 16.11 and Appendix 18.1 18.4 and 18.5, as set out in the Dublin City Development Plan 2022 – 2028, which variously address extensions and alterations and dormer extensions, it is considered that condition number 2 of the planning authority's decision to grant permission under planning register reference number 3226/22 would, subject to revised wording, ensure that the proposed side and rear dormers and the proposed single storey rear extension comply with the above cited provisions of the Development Plan. This 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.

2. Having regard to the provisions of Appendix 5, section 4.3.1 of the Dublin City Development Plan 2022– 2028, which, addresses “Parking in front gardens – Dimensions and Surfacing”, it is considered that condition number 4 of the planning authority’s decision to grant permission under planning register reference number 3226/22 would, therefore, be in accordance with the proper planning and sustainable development of the area.

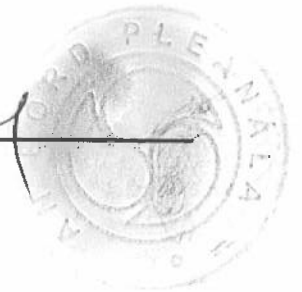


Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 29th day of June 2023.