

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council South

Planning Register Reference Number: 3965/22

Appeal by Paolo Maggioni care of VCL Consultants of 13 Ashdale, Wheaton Hall, Drogheda, County Louth against the decision made on the 7th day of July, 2022 by Dublin City Council to grant subject to conditions a permission to the said Paolo Maggioni in accordance with plans and particulars lodged with the said Council.

Proposed Development: Rear single storey extension to existing house, new pedestrian access gate and an increase in height of existing brick wall to the front and all associated site works at Elm Lodge, 65 Serpentine Avenue, Sandymount, 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, as amended, to **AMEND** condition number 2 so that it shall be as follows for the reason set out.

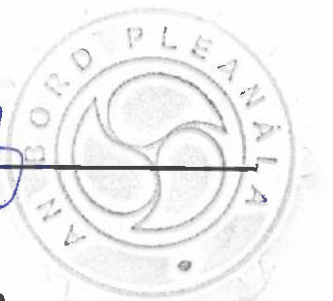
2. Details of the proposed rear boundary treatment and its exact location shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed extension shall be constructed inside the rear boundary and shall not form the boundary with the neighbouring property to its rear.

Reason: In the interests of clarity and visual and residential amenity.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, and the nature, form, scale and design of the proposed development, the Board considered that a one metre set back of the rear extension from the rear boundary would be excessive. It is considered that the proposed development would not seriously injure the visual amenities, established character or appearance of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.


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



Dated this 29th day of June, 2023.