

An
Bord
Pleanála

Board Order
ABP-314457-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB 1539/22

Appeal by Rosemarie Schagerl care of ERMS Planning and Development Consultants of 34 Crescent Castle Oaks, County Carlow against the decision made on the 29th day of July, 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: Permission is sought for the construction of a two-storey side extension for extended living, raised gable to the side together with all associated site works and services, all at Number 71 Lally Road, Kilmainham, 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 ATTACH condition number 3 and the reason for the condition should be amended as follows:

Reason: To respect the uniformity of hipped roof profiles that contributes to the established character and built form of the area.

Reasons and Considerations

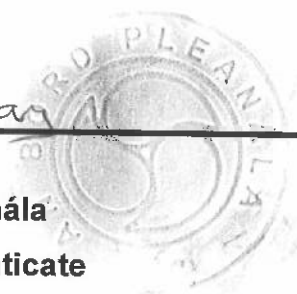
Having regard to Section 15.5.3 (Alterations and extensions) of the Dublin City Development Plan 2022-2028 which sets out, among other requirements, that extensions should 'respect any existing uniformity of the street and together with significant patterns, rhythms or grouping of buildings' and taking into account the pattern of development in the immediate area which predominately include groupings of terraced houses with hipped roofs, it is considered that the inclusion of Condition number three is warranted in order to ensure the proposed development would align with the relevant provisions of Section 15.5.3 of the development plan and respect the uniformity of hipped roof profiles that exist and contribute to the established character and built form of the area.

In deciding not to accept the inspector's recommendation to remove condition number three, the Board noted and agreed with inspector's assessment in respect of residential and visual amenity considerations, however, the issue of concern to the Board related to respecting the uniformity of roof profiles that contributes to the established character and built form of the area. The Board was satisfied that this character should not be interrupted or lost by the intervention of a gable roof type where hipped roofs are the predominant form.



Patricia Calleary

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



Dated this 17 day of July 2023