



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4706/22

Appeal by Lorraine and Joseph Lyons care of Bright Design Architects of 4 Seafield Park, Booterstown, County Dublin against the decision made on the 17th day of October, 2022 by Dublin City Council to refuse permission for development comprising alterations to previously approved Grant of Permission (register reference number 3415/22). The works previously approved under register reference number 3415/22 were as follows: (1) demolition of existing modern single storey extensions to side and rear; (2) construction of new single storey extensions to the side and rear with rooflights; (3) retention of existing single storey extension to rear and permission for new rendered finish, new cappings and removal of chimney to same; (4) rebuilding of single storey shed/boiler house to side; (5) replacement and enlargement of dormer window to front main roof; (6) conservation works to the exterior including rebuilding/repairs to brick wall to front/side; brick repointing/moisture treatment to gable; reinstatement of canopy hipped roof, timber columns and arches to front elevation; (7) replacement of five number rear windows (non-original) at first/second floors; (8) replacement of existing front vehicular gate piers onto Templemore Avenue and (9) all associated site, landscaping and drainage works. The revisions now proposed are as follows: (A) construction of a new part single, part two and part three storey extension with lift to the side in lieu of single storey extension to side previously granted; (B)

new/altered internal openings on existing side gable wall to serve proposed extension consisting of two number new openings, alteration of toilet window into a door and one number infilled door opening all at ground floor level; one number new door opening at first floor; alteration of half landing windows into doors at both first and second floor half-landing levels; (C) new internal partition/subdivision of rear bedroom at first floor/half landing level; (D) alterations/enlarged openings to original brick wall to the front/side with new window/door opening and aluminium surround; (E) new rooflight to rear slope of existing roof including internal shaft/ceiling alterations to stairwell; (F) new rendered finish to existing single storey extension to rear retention of brick finish conditioned under register reference number 3415/22; (G) replacement and enlargement of dormer window to front main roof - reduced size conditioned under register reference number 3415/22 and (H) all associated site, landscaping and drainage works at 65 Highfield Road, (a protected structure), Rathgar, Dublin with frontage onto Templemore Avenue in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for the installation of a new rooflight to the rear slope of the existing roof, a new rendered finish to the existing single storey extension and the replacement and enlargement of the dormer window to front slope of the existing roof in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for the construction of a part-one, part-two, part-three storey side extension and associated alterations to the existing dwelling based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the scale, form, design and materiality of the rooflight, enlarged dormer and rear extension, the immediate site context, the pattern of development characterising the area more broadly, the provisions of the Dublin City Development Plan 2022-2028 and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October, 2011, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the architectural character and setting of the Protected Structure, would not have a negative visual impact on the character and visual amenity of the Conservation Area and streetscape and would not adversely impact on the residential amenity of neighbouring properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. For the avoidance of doubt, the development permitted by this permission is the installation of a new rooflight to the rear slope of the existing roof, new rendered finish to the existing single storey extension and replacement and enlargement of the dormer window to front slope of the existing roof. It **does not include** the construction of a part-one, part-two, part-three storey side extension and associated alterations to the existing dwelling.

Reason: In the interest of clarity.

2. The developer shall comply with all conditions of the parent application register reference number 3415/22, save for amendments made by this application.

Reason: In the interest of clarity.

Reasons and Considerations (2)

The proposed extension would seriously injure the architectural character and setting of the Protected Structure and would appear visually incongruous, would have a negative visual impact on the character of the Conservation Area and streetscape, by reason of its scale, massing and design. The proposed development, in itself and by the precedent it would set for similar development in the area, would be contrary to the policies and objectives of the current Dublin City Development Plan 2022-2028, including Policies BHA2 and BHA9 and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October, 2011. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



The seal of An Bord Pleanála is circular with the text 'AN BORD PLEANÁLA' around the perimeter and a stylized 'S' logo in the center.

Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 4th day of December 2023.