

An  
Bord  
Pleanála

## Board Order ABP-318514-23

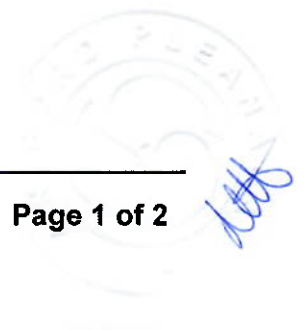
**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4403/23**

**Appeal** by Fergal Moran and Elaine Kellegher care of ABA Architects of 17 Londonbridge Road, Sandymount, Dublin against the decision made on the 26<sup>th</sup> day of October, 2023 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Single storey rear extension (which is exempt from planning control) and a first-floor side extension roof terrace over existing converted garage of semi-detached two-storey house. New Velux roof window to front of roof and one to the side of new extension. Alterations to front garden, including moved and widened vehicular entrance, new gate piers and sliding timber gate, all at 27 Anna Villa, Ranelagh, 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 ATTACH condition number 3 (ii) and (iii) and the reason therefor.

## Reasons and Considerations

Having regard to the restricted nature of the site and the pattern of development in the immediate vicinity, it is considered that, by reason of its siting and proximity to the southern site boundary, with no separation, the first-floor roof terrace would be overbearing and would seriously injure the residential amenities of the adjoining property to the south; therefore, to remove condition number 3 (ii) and 3 (iii), as requested, would be contrary to the zoning objective 'Z2' - Residential Neighbourhoods (Conservation Areas), with the objective 'to protect and/or improve the amenities of residential conservation areas', and would be contrary to 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 <sup>19<sup>th</sup></sup> day of June 2024.