



An  
Bord  
Pleanála

Board Order  
ABP-321693-25

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB2410/24**

**APPEAL** by Joseph and Maire McGucken of 17a Cromcastle Road, Kilmore, Dublin against the decision made on the 19<sup>th</sup> day of December 2024, by Dublin City Council, to grant permission subject to conditions, for the proposed development.

**Proposed Development:** Permission for the demolition of existing attic structure, new first floor dormer type structure over full area of rear roof of existing house, new first floor extension to the rear over existing ground floor rear structure, raising of ridge level of main roof to achieved habitable accommodation height and associated works. Proposed new works will accommodate new stairs, bedroom, bathroom and storage area at first floor level at 21 Rutland Cottages, Mountjoy, Dublin.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

Having regard to the totality of information on the file including, in particular, the fact that works to construct the proposed development appeared to be substantially complete on the date of the Planning Inspector's site visit on the 29<sup>th</sup> day of April 2025, the Board considered that some aspects of the works for which permission is being sought have already been carried out and that the application for permission and associated drawings before the Board, being works for proposed demolition and construction, no longer accord with the application.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the Inspector's report and site images specifically drawing the Board's attention to the fact that some of the works requiring planning permission appeared to have already been carried out and that the development as constructed appeared not to be in accordance with the drawings submitted. Under the circumstances, the Board considered the nature of the works the subject of this application had significantly altered to include elements of planning retention.

*Mary Gurrie*

**Mary Gurrie**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 14 day of May 2025.**