

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Dublin City

Planning Register Reference Number: WEB1198/10

An Bord Pleanála Reference Number: PL 29S.238131

APPEAL by Brian and Margaret Dowling care of Willing Foe Design of 40 Fontenoy Street, Broadstone, Dublin against the decision made on the 17th day of November, 2010 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Removal of existing railings and footing and construction of a new brick wall on the boundary to Reginald Street and Gray Street, enlarging the site by incorporating the existing recessed 'pocket' in the boundary to be ceded by Dublin City Council, installation of windows in the existing brick feature recess at attic level in the gables on Reginald Street and facing Gray Street, swapping entrance door and window to existing side extension (planning register reference number 1157/03) and associated site works, all at 29 Reginald Street, Dublin (on the corner with Gray Street).

DECISION

Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, 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 directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefore and to ATTACH a further condition so that it shall be as follows for the reason set out.

FURTHER CONDITION

A sample of the brick to be used, together with details of construction (including capping), shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development”.

Reason: In the interest of protecting the visual amenities and character of the area.

REASONS AND CONSIDERATIONS

Having regard to the architectural character of the area and the existing pattern of development, the design and finish of the proposed brick wall and the need for privacy, the brick wall as proposed, provided it is carried out to a high standard, is considered to be an acceptable solution. It was considered that a wooden fence inside the railing may be unsightly.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2011.