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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1368/20**

**Appeal** by Niamh and Dara Mulhern of 140 Bettyglen, Raheny, Dublin against the decision made on the 12<sup>th</sup> day of August, 2020 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** A new attic conversion with new dormer and associated windows to rear of property, an increase to ridge height to extent of dormer element, a new first floor window to side gable wall and all associated site works at 140 Bettyglen, Raheny, 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 REMOVE condition number 3 and the reason therefor.

## **Reasons and Considerations**

Having regard to the residential land use zoning of the site, and the nature and scale of the proposed development, it is considered that the modifications and requirements of the planning authority, in its imposition of condition number 3, are not warranted, and that the proposed development, with the omission of this condition, would have no significant negative visual impact on the dwelling or the streetscape. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **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.

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

**Dated this            day of            2020.**