



An  
Bord  
Pleanála

**Board Order**  
**PL 29N.248111**

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## **Planning and Development Acts 2000 to 2016**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4405/16**

**Appeal** by Aidan O'Byrne and Martina Nolan of 59 Hampton Court, Clontarf, Dublin against the decision made on the 15<sup>th</sup> day of February, 2017 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Two number new dormer roofs to the rear of the existing house roof and two number new velux windows to the front of the existing house creating a new attic space to be used for office/storage/utility room and all ancillary works at 59 Hampton Court, Clontarf, 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 nature and scale of the proposed development, and to the pattern of development in the vicinity, it is considered that the development, as originally submitted to the planning authority, would be acceptable in terms of visual amenity and would not seriously injure the amenities of the area. It is, therefore, considered that the imposition of condition number 3 was not warranted in this instance.

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

**Dated this          day of                                  2017**