



An
Bord
Pleanála

Board Order
PL 29N.249224

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3213/17

Appeal by Garreth Browne care of Architectural Services Limited of 244 Swords Road, Santry, Dublin against the decision made on the 15th day of August, 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: A two-storey detached dwelling with new vehicular access and off-street parking to front and all associated site works at side of 194 Iveragh Road, Whitehall, 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 the pattern of development in the area, it is considered that condition number 3 requiring a reduction in the depth of the proposed house and an increased depth to the rear garden is not warranted, as the proposed development would not seriously injure the residential amenities of property in the vicinity nor seriously injure the residential amenities of future occupants of the proposed dwelling. It is, therefore, considered that the imposition of condition number 3 is not warranted in this instance and, therefore, that the proposed development would 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.

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

Dated this day of 2017