An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Dublin City Council

Planning Register Reference Number: 3952/17

An Bord Pleanála Reference Number: ABP-300361-17

Appeal by Siobhan Jennings care of Brian O'Donoghue Architects Limited of 62 Gilford Road, Sandymount, Dublin against the decision made on the 22nd day of November, 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: Demolition of a single storey flat roofed garage attached to the side and construction of a single storey flat roofed side and front extension at 23C Rosendale, York Road, Rathmines, 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 2 and the reasons therefor.

Reasons and Considerations

Having regard to the pattern of development in the area and to the scale and design of the proposed porch and front projection, it is considered that the proposed development would not seriously injure the amenities of the area or of property in the vicinity and that there is no need to require amendments by means of planning condition.

In deciding not to accept the Inspector's recommendation, the Board agreed with the applicant's agent that this part of York Road is not particularly visually sensitive, and considered that the design as proposed would be attractive and would enhance the character of the existing dwelling, and that it would not set an adverse precedent for this part of the street.

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 2018