



Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 4433/17

Appeal by McConnell Investments Limited care of ODKM Architects of 39 Fitzwilliam Street Upper, Dublin against the decision made on the 20th day of March, 2018 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) Construction of a 187.5 square metres partial two-storey/partial three-storey detached three-bedroom dwelling in lieu of existing surface car parking, (b) Private landscaped courtyard garden to the front and rear of the proposed dwelling with the provision of new private setback terraces at first floor and second floor levels, (c) Construction of a boundary wall to Lansdowne Park with an entrance driveway gate to provide access to one number off-street car parking space to the dwelling, a pedestrian gate to the dwelling, an entrance driveway and pedestrian gate to a 3.9 metres vehicular access driveway to north side of the site to access the four number relocated car parking spaces which will service 60 Northumberland Road the existing office building (a Protected Structure), (d) All soft and hardscaping works associated with the relocated car parking spaces, and (e) All associated site works. (f) Note that there are no works proposed to the Protected Structure as part of this application, all at 147 to 148 Lansdowne Park, (rear of 60 Northumberland Road), Ballsbridge 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 development to be retained and to the pattern of development in the area, it is considered that the imposition of condition number 3 is unnecessary and the removal of this condition would not contravene the provisions, as set out in the current Development Plan for the area nor create a precedent.

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.

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

Dated this day of 2018.