



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3152/18

Appeal by Adrian and Caroline Duffy care of Murphy Austin Architects of 24 Seapoint Avenue, Blackrock, County Dublin against the decision made on the 26th day of July, 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: Demolition of existing extension and reconstruction of the single-storey store to rear of dwelling and construction of a two-storey and single-storey extension to rear of house, internal refurbishment works and all associated landscaping, conservation and site development works at 28 Garville Avenue, Rathgar, 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 reason therefor for the reason set out.

Reasons and Considerations

Having regard to the character of the lower ground floor level of the protected structure, which has been subject to substantial alteration over time, and to the limited nature of the proposal to provide for the replacement of a non-original door and a glazed screen, it is considered that the proposed development would be acceptable in terms of its impact on the integrity of the protected structure and that the imposition by the planning authority of condition 2 was not warranted. Furthermore, the Board considered that the proposed layout for the lower ground floor with the door located to the north of the ope as shown on Drawing number 1622-PL05 (submitted to the planning authority on 7th day of June, 2018) was acceptable.

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.

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

Dated this day of 2019.