



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council North

Planning Register Reference Number: 3156/18

Appeal by Tiarnán O'Dwyer of 16 Saint Joseph's Square, Clontarf, Dublin against the decision made on the 24th day of July, 2018 by Dublin City Council North to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a 37 square metres two-storey extension to the rear of existing dwelling consisting of 23 square metres at ground floor level, 14 square metres at first floor level and 3 square metres storage shed to rear garden, removal of existing ground floor kitchen extension to rear, new window opening to existing side (north) elevation to laneway with fixed and obscure glazing, modified window opening to existing rear elevation at first floor level, external insulation and all associated site and development works, all at 16 Saint Joseph's Square, Clontarf, Dublin.

Decision

Having regard to the nature of the conditions 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.

Reasons and Considerations

Having regard to the limited size of the site and its position adjacent to a laneway which functions primarily as a service route to the rear of existing properties, it is considered that the set back of the proposed extension required by condition number 2 (a) is not warranted in terms of the protection of existing amenities and should, therefore, be removed. It is also considered that condition numbers 2 (c), (d) and (f) are not justified or necessary in terms of the protection of the amenities of adjoining property or the character of the area and should also, therefore, be removed.

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.

Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2018.