



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1451/19

Appeal by AnneMarie Madden and Greg Gralak care of MARA Architects of number 51 Clontarf Road, Clontarf, Dublin against the decision made on the 19th day of September, 2019 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of a single storey extension to the front of the house, alterations to front boundary to increase the width of the existing vehicular access, and all associated site works at 92 All Saints Road, Raheny, 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 8 and the reasons therefor, AMEND condition number 3(c) so that it shall be as follows for the reasons set out.

3. (c) The proposed window located on the gable end of the proposed front extension (south facing) shall be glazed with obscure glass.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, to the pattern of development in the area and measures now proposed to mitigate overlooking, namely, obscure glazing, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of condition number 8 is unwarranted. It is further considered that, with the amendment of condition 3(c), the proposed development would be in accordance with the provisions of the Dublin City Development Plan 2016-2022, would not give rise to overlooking or seriously injure the amenities of the area and would, therefore, 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.

Paul Hyde

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

Dated this day of 2019