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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3808/19**

**Appeal** by Declan Robinson care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 11<sup>th</sup> day of October, 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:** Alterations to previously approved planning application, planning register reference number 2599/19. The proposed alterations consist of: (i) omission of previously approved attic level extension and associated stairs, (ii) construction of first floor extension (15 square metres) to the rear, (iii) alterations to east facing window associated with the kitchen and (iv) all associated ancillary site development works necessary to facilitate the development. All at 64 Blackheath Park, Clontarf, 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(a) and the reason therefor.**

## **Reasons and Considerations**

Having regard to the planning history relating to the site, that is, the current live permission granted under planning register reference number 2599/19 for the development of the site, including the permitted utility room and the provisions of the Dublin City Development Plan 2016-2022 which require domestic extensions to have regard to the amenities of adjoining properties, it is considered that condition number 3(a) is not appropriate or justified in this case and its removal would not give rise to serious injury to adjacent residential amenity and would 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.

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**Paul Hyde**

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

**Dated this            day of            2020.**