



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2538/20

Appeal by John Fitzgerald care of Tom Duffy of 5A Collins Park, Donnycarney, Dublin against the decision made on the 30th day of June, 2020 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Planning permission for a new two storey extension to rear, alterations to roof, attic conversion, new rear dormer roof window, full repairs, refurbishment and all associated site works at 11 Sussex Road, 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.

Reasons and Considerations

The Board considered that, having regard to the pattern of development in the vicinity and the urban nature of the area, that the omission of condition number 2 from the proposed development would not seriously injure the residential or visual amenities of the adjoining property and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to omit the first-floor rear elevation bedroom window and replace it with a window positioned at a minimum height of 1500 millimetres above the finished floor level, to fit the ensuite bathroom window which shall be in opaque glazing and that the dormer window in the rear roof slope shall be omitted and replaced with rooflights, the Board was satisfied that the proposed development as submitted with the planning application would not seriously injure the residential amenities of adjoining properties or the visual 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 2020