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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2717/20**

**Appeal** by Maire and Thomas O'Brien care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 10<sup>th</sup> day of July, 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:** Amendments to previously granted planning permission, planning register reference number 3939/16. The development comprises: (i) addition of side dormer flat-roof window to western elevation with opaque glazing to 1,800 millimetres height from floor level on western-facing glazing, (ii) increase in depth of granted rear single storey extension by 900 millimetres, (iii) amendments to fenestration to front elevation to include a corner window at ground and first floor to front annex of dwelling, and addition of new first-floor window serving bedroom 2, (iv) addition of new rooflight to the western roofscape, (v) and all associated landscaping and site works to facilitate the development. All at 7 Woodside, 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 and the reason therefor.**

## **Reasons and Considerations**

Having regard to the residential land use zoning of the site, the nature and scale of the proposed development and the existing pattern of development on neighbouring sites, it is considered that the modifications and requirements of the planning authority, in its imposition of condition number 3 (a) and (b), are not warranted, and that the proposed development, with the omission of this condition, would have no significant overlooking impacts on any neighbouring property and would have no negative impact on the character of the existing dwelling or the streetscape. The proposed development 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.

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**Terry Ó Niadh**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**