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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2851/20**

**Appeal** by Damian Kowalski and Aleksandra Bereza-Kowalska care of Michael O'Connor Associates of 18 Lissadel Wood, Swords Road, Malahide, County Dublin against the decision made on the 29<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:** (1) Replace the existing hip roof with gable roof to the side; (2) Change of use of attic to storage; (3) One number rooflight to the front roof; (4) Two number rooflights to the rear roof; (5) Three number obscured glazed windows to the side gable and all associated site works at 35 Dollymount 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 2 and the reason therefor.**

## **Reasons and Considerations**

Having regard to the objectives of the Dublin City Development Plan 2016-2022, the pattern of development in the area and to its nature scale and extent, the Board was satisfied that the proposed development would not seriously injure the residential or visual amenities of adjoining properties or of the area. 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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**Paul Hyde**

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

**Dated this            day of            2020**