



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1469/20

Appeal by Sarah Caprani care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin against the decision made on the 14th day of September, 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: The construction of a dormer extension to rear of existing dwelling to allow for conversion of attic space to habitable space (bedroom and en-suite) and widening of front driveway entrance, adjustments to front wall, gate and railings at 9 Rosemount Avenue, Artane, 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 (a), (c) and (d) and the reason therefor.

Reasons and Considerations

Having regard to the Z1 residential land use zoning of the site, the nature, scale and location of the proposed development on the rear roof plane of the existing dwelling, and Policy QH12 of the Dublin City Development Plan 2016-2022, which seeks, inter alia, to promote more sustainable development through the increased use of renewable energy, it is considered that the modifications and requirements of the planning authority, in its imposition of condition number 2 (a), (c) and (d) are not warranted, and that the proposed development, with the omission of this condition, would have no significant negative visual impact on the dwelling or the streetscape and would have no negative impact on the future development of the subject site. 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.

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

Dated this day of 2021