



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3377/20

Appeal by Dorothy Kenny and Graham Webb care of MCC Architects of 21 Shandon Drive, Dublin against the decision made on the 6th day of November, 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 development consists of extension at first floor to rear and side of dwelling with associated alterations to existing elevations at 16 Ballymun Road, Glasnevin, 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 **AMEND** condition number 2 so that it shall be as follows for the reasons set out.

2. The proposed development shall be revised as follows:

The bedroom windows in the south facing wall at first floor level shall be permanently glazed with obscure glass. Access to the first floor roof shall only be permitted for necessary maintenance of the roof or windows. For the avoidance of doubt, the first floor roof shall not be used for amenity purposes without a separate grant of permission.

Reason: In the interests of protecting the privacy and residential amenity of number 14 Ballymun Road.

Reasons and Considerations

Having regard to the design of the proposed extension at first floor level and its proximity to neighbouring property, it is considered appropriate to amend Condition number 2 to prevent overlooking of the adjoining dwelling house to the south, in the interests of 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.



Terry Prendergast

Member of An Bord Pleanála

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

Dated this 27th day of April 2021

