

An
Bord
Pleanála

Board Order
ABP-309017-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3517/20

Appeal by David Maguire care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 1st day of December, 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: (i) Demolition of the existing single storey extension at the rear, (ii) construction of a first floor pitched roof extension over existing garage to the side and rear, (iii) construction of a ground floor pitched roof with parapet wall extension to the rear, (iv) construction of an attic storage space and dormer window facing rear garden, (v) refurbishment and internal alterations of the existing house, (vi) widening of existing vehicular entrance off Baymount Park to 3.5 metres, and (vii) other works as part of the development including alterations to all elevations with new fenestration throughout, rooflights, landscaping, boundary treatments, SuDS drainage and all associated works necessary to facilitate development, at 3 Baymount Park, Dublin.

Decision

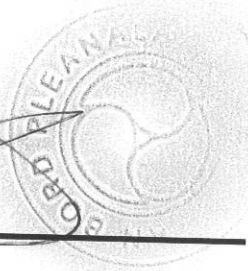
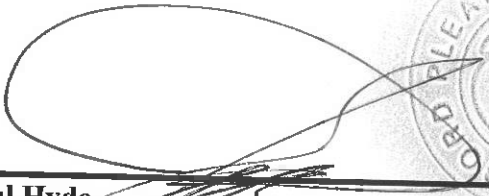
Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE conditions numbers 3 and 4 and the reasons therefor

Reasons and Considerations

Having regard to the nature and scale of the development and the pattern of development of the area, including the partially terraced character of the streetscape, and the layout of the rear extension as proposed in the drawings submitted with the planning application, which it is considered offer a better level of privacy and amenity to both the applicants and the adjoining residents, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of conditions numbers 3 and 4, are not warranted. The proposed development with the removal of both these conditions would not have a significant impact on the residential or 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 12th day of MAY 2021