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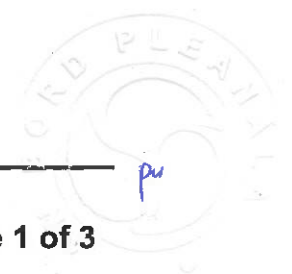
**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4030/20**

**Appeal** by Mulligans of Sandymount Limited care of Smith and Kennedy Architects of 9 Clarinda Park North, Dún Laoghaire, County Dublin against the decision made on the 25<sup>th</sup> day of February, 2021 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) Part removal of existing shopfront windows and entrance doors and (2) construction of a new shop front with relocated entrance doors, new folding windows and associated works, all located at 86/88 Sandymount Road, Dublin, which is located in the Sandymount Architectural Conservation Area.



## **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.**

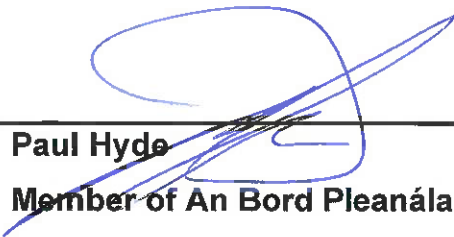
## **Reasons and Considerations**

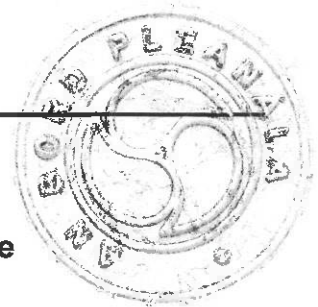
Having regard to the policies and objectives as set out in the Dublin City Development Plan 2016-2022 and the Dublin City Shopfront Design Guidelines 2001, to the scale and nature of the proposed development and to the nature and character of the surrounding environment, the Board was satisfied that condition number 2 is not warranted. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to attach condition number 2, the Board was satisfied that the shopfront as proposed would not seriously injure the character of the building or the area and would not seriously injure the visual amenities 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 *25<sup>th</sup>* day of *May* 2021.