

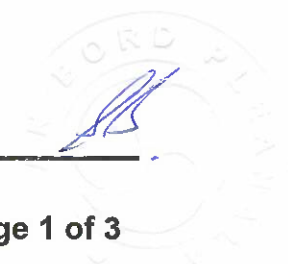
Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3052/21

Appeal by Aidan and Richard Davis of 49 Gracefield Road, Artane, Dublin against the decision made on the 23rd day of August, 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: Retention permission is sought for: A) The ground floor lean-to roof over the front entrance of the existing semi-detached house; B) The gym and store structure located to the rear of the site with associated windows, external doors and monopitch roof; C) The pedestrian side gate providing access to Gracefield Court; and D) Part of the circa 2.4 metres high eastern boundary wall. Permission is sought for: A) A new side extension and removal of the chimney to the first floor of the existing house; B) Conversion of the attic with a rear dormer window and two rooflights to the side and front of the house respectively; C) Replacement of the southern boundary wall with a new 2.3 metres high wall with one pedestrian gate to access the back lane; and D) Rising of part of the eastern boundary wall to match the rest of the wall subject to retention, all at 49 Gracefield Road, 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 7 (b) and (c) and the reason therefor.

Reasons and Considerations

Having regard to the residential land use zoning of the site, the existing pattern of boundary treatments at this location, and the nature, location and scale of the proposed development and the development proposed to be retained, in an area that has been taken in charge by the local authority, it is considered that the modifications and requirements of the planning authority, in its imposition of condition number 7(b) and (c), is not warranted, and that the proposed development and the development proposed to be retained, with the omission of condition 7(b) and (c), would have no significant negative impact on the character of the dwelling, the streetscape or any neighbouring property. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

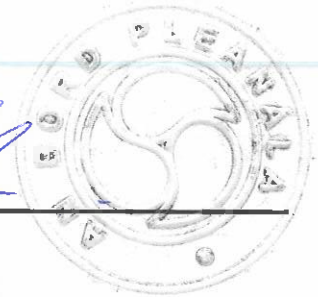
Matters Considered

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.



Stephen Bohan

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



Dated this *26th* day of *April* 2022.