

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3155/21

Appeal by Cian Ó Cuinneagáin and Annette O'Brien care of Ryan and Lamb Architects of 41 Baggot Street Lower, Dublin against the decision made on the 7th day of September, 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: The development will consist of an extension and conversion of the existing attic into a bedroom, ensuite bathroom and ancillary spaces. It will include a zinc dormer and two number conservation roof lights at roof level to the rear. It will also include a new internal stairs for access. The development will include all associated ancillary works and services, all at 78 Saint Lawrence Road, Clontarf, Dublin (Protected Structure - Register of Protected Structures Reference Number 7656).

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 5 and the reason therefor.

Reasons and Considerations

Having regard to the 'Z2' Residential Neighbourhood Conservation Area zoning of the area and the Protected Structure status of the appeal site and the adjacent sites, to the nature and scale of the proposed development and the pattern of existing and permitted development on neighbouring sites, it is considered that the requirement of the planning authority to omit the rear dormer window through the imposition of condition number 5 is not warranted, and that the proposed development, with the omission of this condition, would have no significant impact on the character and setting of the Protected Structure and the other Protected Structures in this area. The proposed development would, therefore, be in accordance with the relevant provisions of the Dublin City Development Plan 2016 - 2022 and 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.

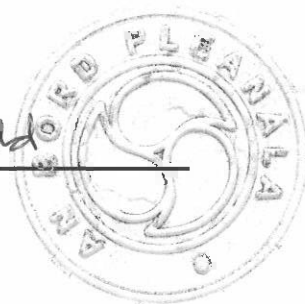
Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 8th day of Feb. 2022.