

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2783/21

Appeal by Nicholas McAuliffe care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 14th day of September, 2021 by Dublin City Council to grant subject to conditions a permission to Alex Brett, Michael Whelan and Tony Kidd care of JSA Architects of 10 Booterstown Avenue, Blackrock, County Dublin.

Proposed Development: The development will consist of change of use at first floor level from restaurant use to residential use by forming 4 double bedroom apartment units and alternating front and rear elevations with provision of two number recessed balconies to the front and adaptation of existing flat roof into two number terraces to the rear plus two number rear extensions of 6.7 square metres in total. There will also be demolition of internal staircase (number 4) and elevator resulting in forming a new separate commercial unit on the ground floor, all at 23-25 Sundrive Road, Kimmage, Dublin.

Decision

DISMISS the said appeal under subsection (1) (b) (i) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.

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.

Reasons and Considerations

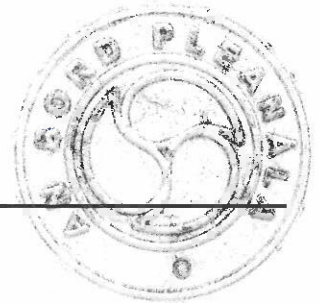
The grounds of the appeal relate solely to matters regarding legal interest in the property and do not address the development for which permission has been sought. The resolution of these matters does not come within the remit of the Board. The Board is satisfied that, in the particular circumstances, the appeal should not be further considered by it having regard to the nature of the appeal.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 24th day of March 2022