

---

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

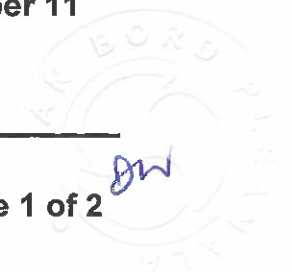
**Planning Register Reference Number: 3223/21**

**Appeal** by Clare Leonard and Mark Kennedy care of Architectural Farm of 149 Francis Street, Dublin against the decision made on the 16<sup>th</sup> 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:** Permission for the construction of a new single storey extension and dormer to rear, dormer to side, the conversion of existing garage, alterations to existing front façade and all associated site works, all at 38 Seafield Avenue, Clontarf East, 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 11 and the reason therefor.



## Reasons and Considerations

Having regard to the residential zoning objective for the area, to the pattern of development in the area, and to the scale of the proposed extension, it is considered that, subject to compliance with the conditions attached to the permission granted by the planning authority under planning register reference number 3233/21 with the omission of condition number 11, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development 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.



**Dave Walsh**

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



Dated this *21<sup>st</sup>* day of *March* 2022.