

An  
Bord  
Pleanála

Board Order  
ABP-312769-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council North**

**Planning Register Reference Number: WEB5125/21**

**Appeal** by Maeve and Richard Wall care of Ryan + Lamb Architects of Lower Baggot Street, Dublin against the decision made on the 21<sup>st</sup> day of January, 2022 by Dublin City Council to grant subject to conditions a permission to Dermot and Geraldine Martin care of Michael Mohan of Unit 3, All Saints Park, Raheny, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Proposed amendments to approved planning permission granted under planning register reference numbers 4019/19 and WEB1839/21. The proposed amendments include the following: (a) additional rooflights on the east and north elevations, (b) additional ground floor window to the east elevation and (c) increase the size of a ground floor window on the east elevation at Number 312 Howth Road, Killester, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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**

Having regard to the pattern of development in the area, the separation distance between the development and the adjoining residential property to the east, the design, built form and layout of the permitted development on site, including the provision of a ground kitchen window on the eastern elevation, to the modest nature of the amendments, and to the totality of the documentation on file, including the correspondence on behalf of the applicant received by the Board on the 9<sup>th</sup> day of March, 2022 and on behalf of the appellants received by the Board on the 4<sup>th</sup> day of April, 2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties and would otherwise constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:
  - (a) The proposed new window opening on the ground floor level eastern elevation as shown in Drawing No. 1802: P3\_04 and serving a ground floor level WC shall be permanently fitted with opaque glazing. The proposed enlarged ground-floor level window on the eastern elevation shown in Drawing No. 1802: P3\_04 shall be permanently fitted with opaque glazing.
  - (b) A two metre high fence, six metres in length, centred from the centre point of the proposed ground floor enlarged kitchen window on the eastern elevation, shall be sited on the developer's side of the eastern site boundary.

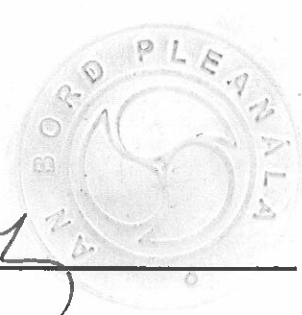
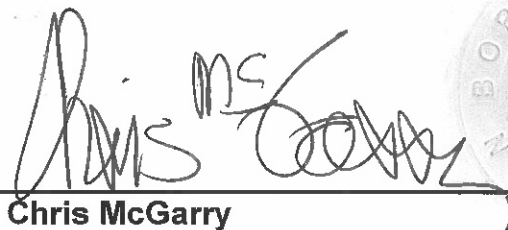
Revised drawings showing compliance with these requirements, including detail of the finishes of the boundary fence, shall be submitted

to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual and residential amenity.

3. In all other respects, the proposed development shall adhere to development approved under planning permission granted under planning register reference number 4019/19 and as amended by planning permission granted under planning register reference number WEB 1839/21.

**Reason:** In order to clarify the scope of this permission.



**Chris McGarry**

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

Dated this 5<sup>th</sup> day of May 2022