

An  
Bord  
Pleanála

**Board Order**  
**ABP-312797-22**

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3920/21**

**Appeal** by Brian Merriman care of Brock McClure Planning and Development Consultants of 63 York Road, Dun Laoghaire, County Dublin against the decision made on the 25<sup>th</sup> day of January, 2022 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of an existing single storey domestic garage and the sub-division of existing site for the construction of a fully serviced two-storey detached house with attic accommodation, first-floor balcony and attic terrace to front of dwelling onto rear laneway (Lullymore Terrace); connection to existing mains services and all associated and ancillary site works, all at rear of 179 South Circular Road, Dublin.

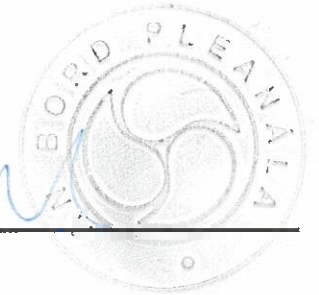
## Decision

Having regard to the nature of the conditions 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 3 and the reason therefor.

## Reasons and Considerations

Having regard to existing and permitted development in the area and to the Dublin City Development Plan 2016-2022, according to which the site location is within an area subject to the zoning objective Z2 "To protect and/or improve the amenities of residential conservation areas", it is considered that the building height and the proposed second floor and balcony terrace of the development would generally be consistent with the prevailing scale and design of mews developments in the vicinity, would not be visually obtrusive or out of character with the roof heights of both existing and permitted mews development on Lullymore Terrace and would not result in a haphazard form of development along an evolving streetscape. Furthermore, it is considered that the proposed depth of the dwelling would not seriously injure or detract from the visual amenities of the Grand Canal conservation corridor and the integrity and architectural character of Lullymore Terrace. Therefore, subject to the removal of condition number 3 and compliance with the remaining conditions imposed by the planning authority, the proposed development would be in accordance with the proper planning and sustainable development of the area.

In not accepting the Inspector's recommendation, the Board considered that the high-quality modern design of the proposed mews dwelling generally respected the scale of both existing and permitted structures in the vicinity and would not be out of character or visually discordant, as there is no single definitive building style along Lullymore Terrace. It considered that the development would generally accord with the provisions of the Dublin City Development Plan 2016-2022 for mews developments and in such circumstances, the inclusion of condition number 3 was not warranted.



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**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this 31<sup>st</sup> day of May 2022.