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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1118/22**

**Appeal** by John Clohisey care of Tom Duffy Architects of 5A Collins Park, Donnycarney, Dublin against the decision made on the 6th day of April, 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:** Alterations to previously approved new two storey with attic detached house with gable roof, extending and increasing area to all floors and porch to front, attic dormer window to rear with flat roof, Velux windows (2) and solar PV panels to front, alterations to existing vehicular access (number 6) and new pedestrian access to front (number 6A), new vehicular access and gate to side (number 6A) and all associated works at 6/6A Griffith Walk, Dublin, corner to Grace Park Terrace (previous planning reference numbers 2726/19, 2101/21).

**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 ATTACH condition number 2 and the reason therefor and to AMEND condition number 3 so that it shall be as follows for the reason set out.**

3. Development shall not commence until revised plans, drawings and particulars showing the following amendments have been submitted to, and agreed in writing with, the planning authority and such works shall be fully implemented prior to the occupation of the building:
  - (a) The proposed extension, setting the front building line forward at ground, first and attic level, shall be omitted.
  - (b) The building line, roof pitches and ridge height, shall be consistent with those approved under planning register reference number 2726/19 (An Bord Pleanála appeal reference number ABP-304811-19), and planning register reference number 2101/21.
  - (c) The proposed front porch shall be omitted.
  - (d) The front garden boundary wall, forward of the building line facing Griffith Walk, shall not exceed a height of 1.2 metres. The front garden boundary facing Grace Park Terrace shall be as approved under planning register reference number 2101/21.
  - (e) There shall be one roof light only on the front plane of the house to be developed at 6A Griffith Walk. This roof light shall be consistent in scale with the proposed roof light on the front plant of the roof of the house at 6 Griffith Walk.
  - (f) The attic shall not be used for habitable purposes unless it complies with the building regulations.

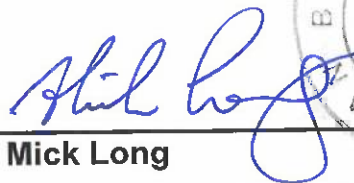
- (g) Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (h) All internal and external works to be effect of the house.

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

### Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028 and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the proposed alterations set out above, condition number 3 would not seriously injure the visual amenities, would establish the character or appearance of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Furthermore, it is considered that the terms of the section 48 Development Contribution Scheme have been properly applied in this instance based on the total floor area of the residential development.



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**Mick Long**

**Member of An Bord Pleanála**

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

Dated this *30* day of *June* 2023.