



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1271/22

Appeal by Kathryn O'Brian care of David Winston of 24 Ventry Park, Cabra, Dublin against the decision made on the 20th day of May, 2022 by Dublin City Council to grant subject to conditions a permission to the said Kathryn O'Brian in accordance with plans and particulars lodged with the said Council.

Proposed Development: Alterations to previously approved planning application register reference number 3604/20, namely seeking the removal of condition 2 in the planning grant of permission as follows:

The development shall be revised as follows:

(a) The single storey extension to the front shall be omitted from the scheme (north-facing elevation). (b) The proposed single storey side extension shall be set back by a minimum of 0.3 metres from the existing front building line (north-facing elevation) of the dwelling. (c) The materials to the elevations of the side extension shall be a dash finish to match the existing dwelling or another appropriate material which harmonises with the dwelling and shall be agreed in writing by the planning authority. (d) The proposed window/doorway to the front (north-facing elevation) shall be revised to provide an opening to match the combined width and separation between the two windows at first floor level to the northern elevation and shall be positioned immediately below. The plaster band frame shall be omitted and window surround to the window/doors shall match that of the existing windows of the dwelling, all at 100 Brian Avenue, Marino, 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, as amended, to REMOVE condition numbers 2(a) and 2(b), to ATTACH condition number 2(c), and to AMEND condition number 2(d) so that it reads as follows.

2. (d) The proposed window/doorway to the front (north facing elevation) shall be revised to provide an opening to match the combined width and separation between the two windows at first floor level to the northern elevation and shall be positioned immediately below. The surround to the window/doors shall match that of the existing windows of the dwelling.

Reason: To protect the special interest and character of the residential conservation area.

Reasons and Considerations

Having regard to the residential conservation area zoning of the site in the Dublin City Development Plan 2022-2028 and to the pattern of development in the immediate vicinity, it is considered that the proposed front/side extension does not need to be amended by condition numbers 2(a) and (b) attached to the planning authority's permission. However, the proposed pair of glazed windows in the front elevation of the dwelling house do need to be amended by condition number 2(d) to ensure that they maintain a coherent relationship with the pair of first floor windows above, and the surround to the window/door should match that of the existing windows in the dwelling (reference to the plaster band frame is to be omitted as it is not clear what this refers to). On this basis, the proposed development would be in accordance with the proper planning and sustainable development of the area.



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



Dated this 26th day of July 2023.