

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1354/22

Appeal by Jack and Orla Kennedy of 8 Grosvenor Place, Rathmines, Dublin against the decision made on the 13th day of June, 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 and additions to the existing two-storey terraced house. The development will consist of (1) new first floor extension to the rear, and (2) all associated site works at 8 Grosvenor Place, Rathmines, 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 **AMEND** condition number 2 so that it shall be as follows for the reason set out.

2. Prior to the commencement of development, the developer shall submit revised elevations and floor plans amending the design of the two windows proposed on the side elevation of the first-floor rear extension, the windows shall be reduced in size and be a minimum of 1.8 metres above floor level, for the written agreement of the planning authority:

Reason: In the interests of visual and residential amenity.

Reasons and Considerations

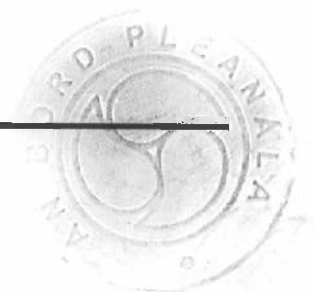
It is considered that the design of the rear first floor extension is in accordance with the 'Z2' land use zoning objective of the site and with the Dublin City Development Plan, 2022 – 2028, standards for this type of development. The proposed development, with the inclusion of the amended condition number 2 set out above, would not seriously injure the amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the inspector's recommendation, the Board considered that having regard to the orientation of the site and the form and proportion of the first floor extension that the existing property would not detract from the character of the area or the residential amenity of adjoining property.



Mary Henchy

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



Dated this *13* day of *July* 2023