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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 5465/22**

**Appeal** by Jacques Chelouche and Ari Ziv care of William Doran of 7 Saint Mary's Road, Ballsbridge, Dublin against the decision made on the 26<sup>th</sup> day of April, 2023 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use from offices to one two-bedroom apartment at second floor, one two-bedroom apartment at third floor, comprising two dwelling units in total, with an extension on the rear at each level, all at 3 Burgh Quay, Dublin (a Protected Structure).

**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 REMOVE condition number 2 and the reason therefor.

## Reasons and Considerations

Having regard to zoning objective 'Z5' of the Dublin City Development Plan 2022 – 2028, to the protected structure and the National Inventory of Architectural Heritage status of the building, to the limited nature, scale and use of the proposed extension at the rear that would not be visible from the public realm, and to the limited extent of the proposed interventions to the existing building, it is considered that the revisions required by the planning authority, as set out in condition number 2 of the planning authority's decision, would not be necessary to protect the architectural character and integrity of the building and that 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 28<sup>th</sup> day of Feb. 2024.