



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3149/24

Appeal by Vincent Vendramini of 121 New Ireland Road, Rialto, Dublin against the decision made on the 2nd day of April, 2024 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission to include demolition of rear walls on ground floor and part rear on first floor. Demolition of internal walls to allow new layout on both floors. Permission required for the erection of a new single storey flat roof extension to the rear with roof light over and a two-storey extension with pitched roof over existing single storey rear extension. Roof lights on the sides of two-storey extension section. Changes to glazing on the rear elevation. Maintain connection to existing drainage and surface water and all ancillary site works, all at 121 New Ireland Road, Rialto, Dublin.

Decision

Having regard to the nature of the condition(s) 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(b) and to REMOVE condition number 2(a).

Reasons and Considerations

Having regard to the location of the subject site in an area zoned Z1 for which the relevant zoning objective is "to protect, provide and improve residential amenities" as set out in the Dublin City Development Plan 2022-2028, and to the pattern of development in the area and in the vicinity of the subject appeal site, it is considered that the first floor extension amended by attaching condition number 2(b) would read as subservient to the existing dwelling and would not be overbearing on surrounding properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to agree with the Inspector to amend the permission with condition number 2(a) which was attached by the planning authority, the Board considered that by attaching condition number 2(b), the relevant zoning objective, "to protect, provide and improve residential amenities" was satisfied and the proposed development would not be overbearing and would not negatively impact on the residential amenity of adjoining properties, therefore, condition number 2(a) is not necessary.



Stephen Bohan

Member of An Bord Pleanála

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



Dated this 12th day of December 2024.