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Bord  
Pleanála

**Board Direction**  
**BD-010064-22**  
**ABP-310956-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/02/2022.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Remove condition number 10

Amend condition number 5 as follows;

- 5. The following requirements of the Transportation Planning Division of Dublin City Council shall be complied with:*

*The developer shall ensure that the works associated with the entrance widening do not result in any damage to the existing street tree to the front of the site. Prior to the commencement of development, proposals showing the precise extent and methodology for the works and associated tree protection measures shall be submitted to and agreed in writing with the planning authority.*

*All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.*

*The developer shall be obliged to comply with the requirements set out in the Code of Practice.*

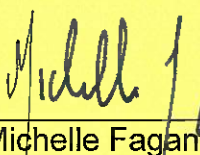
*Reason: To ensure an adequate standard of development.*

## **Reasons and Considerations**

Having regard to size and nature of the site, the pattern and character of development in the area, and the existing traffic conditions for vehicles, pedestrians and cyclist, it is considered that the proposed increase to the width of the entrance would not detract from the character or amenities of the area, would not interfere with the safety or convenience of the movements of vehicles or vulnerable road users, and would not damage existing trees subject to the agreement of detailed tree protection measures under Condition number 5(a) as modified in this order.

Furthermore, it is considered that an adequate separation distance would be provided between the south-facing first-floor windows and the rear garden serving No. 49 Belgrove Road, and that no unacceptable overlooking impacts would occur. Therefore, the planning authority's Condition No. 10 is not warranted.

**Board Member:**

  
Michelle Fagan

**Date:** 18/02/2022