



An  
Bord  
Pleanála

**Board Direction**  
**BD-010270-22**  
**ABP-310973-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/03/2022.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

1. The proposed dwelling would negatively impact on the visual amenity of the area by virtue of the loss of the existing landscaping and trees which helps to screen the railway line and erosion of the streetscapes open/leafy character. The proposal would therefore seriously injure the amenity of the area, would be contrary to Section 16.2.2.2 and Policy QH8 of the Dublin City Development Plan 2016-2022 and would be contrary to the proper planning and sustainable development of the area. Furthermore, the proposed development would set an undesirable precedent for further 'ad hoc' development of the adjoining sites.
2. Having regard to its proximity to the retaining wall associated with the Sydney Parade Railway Station, the proposed development would inappropriately restrict Iarnród Éireann's ability to inspect and maintain the wall, would potentially undermine the integrity of the retaining wall and would provide insufficient space to allow the dwelling to be maintained in future without risk to the railway or those undertaking such work. Therefore, it is considered that the proposed development would directly interfere with the safety and operation of the railway line and would therefore be contrary to the proper planning and sustainable development of area.

3. The provision of a pedestrian entrance and footpath on the south-western side of Ailesbury Gardens would result in potential conflict between pedestrians and vehicles traversing Ailesbury Gardens due to the isolated nature of the proposed footpath, the narrowness of the road, the limited visibility and oversight of the entrance/footpath resulting from adjacent trees/vegetation and the presence of on-street parking interspersed with vehicular entrances. The proposed development would be contrary to Section 16.10.10 of the Dublin City Development Plan 2016-2022 as it fails to demonstrate safe means of pedestrian access which do not result in the creation of a traffic safety hazard. The development would endanger public safety and would therefore, by itself and by reason of the undesirable precedent it would set for other similar development in the area, be contrary to the proper planning and sustainable development of the area.

Board Member



---

Michelle Fagan

Date: 15/03/2022