



An  
Bord  
Pleanála

**Board Direction**  
**BD-012620-23**  
**ABP-313447-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/06/2023.

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

### **Reasons and Considerations**

Having regard to the provisions of the current Dublin City Development Plan, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities or character of the area or the residential amenities of property in the vicinity and would therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:

(a) The existing southern pillar shall be retained and relocated or replicated so that the site entrance shall be a maximum of 3 metres and the remaining existing railing and plinth wall between the relocated/replicated pillar and the southern boundary of the site adjoining No. 38 shall be retained. The existing northern pillar adjoining the boundary with No. 36 shall be retained.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to comply with Appendix 5 of the Dublin City Development Plan 2022-2028 and in accordance with the Z2 zoning objective pertaining on the site.

3. The public footpath shall be dishd to correspond to the widened entrance and in accordance with the requirements of the planning authority.

**Reason:** In the interest of pedestrian safety.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

#### **Note**

In not agreeing with the Inspector's recommended Condition No. 2, the Board had regard to the current Dublin City Development Plan 2022-2028 where the subject

site is zoned Objective Z2, the objective of which is to protect and/or improve the amenities of residential conservation areas and where the Development states that the overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected.

Furthermore, Appendix 5 of the above mentioned Plan provides at Section 4.3.1 that for a single residential dwelling, the vehicular opening proposed shall be at least 2.5 metres or at most 3 metres in width and shall not have outward opening gates and at Section 4.3.7 that the retention of most of the original boundary wall and/or railings and plinth wall and the re-use of the removed railings for new access gates will be sought.

Therefore, the Board considered that while, on balance, it was appropriate to facilitate the widening of the entrance that as much of the existing boundary treatment should be retained and the maximum width should comply with the Development Plan requirements of a maximum of 3 metres.

**Board Member**



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Una Crosse

**Date:** 28/06/2023

