

An  
Bord  
Pleanála

**Board Direction**  
**BD-013146-23**  
**ABP-316234-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/08/2023.

The Board decided to make a split decision, to generally in accordance with the Inspector's recommendation, to

- (1) **REFUSE** permission for the retention of the two number 1847mm boundary walls along both boundaries of the forecourt to the front of the house based on the reasons and considerations marked (1) under.
- (2) **GRANT** permission for the retention of the 3395mm wide amalgamated vehicular/pedestrian entrance based on the reasons and considerations marked (2) under and subject to the conditions set out below.

#### **Reasons and Considerations (1):**

Having regard to the provisions of the Dublin City Development Plan 2022-2028, including the Z1 zoning objective which seeks "to protect, provide and improve residential amenities", it is considered that retention of the 2 number walls at a height of 1847mm would not be in keeping with the established pattern in the vicinity and would seriously injure the visual character of the area, contrary to section 15.6.13 of the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Reasons and Considerations (2):**

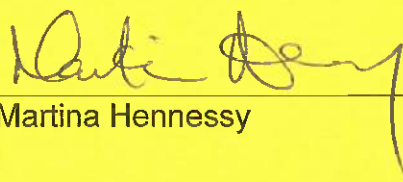
Having regard to the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the condition set out below, retention of the vehicular/pedestrian entrance would not represent a traffic hazard or represent a danger to pedestrian traffic on the footpath. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

1. The development shall be carried out and completed in accordance with the plans and particulars received by the planning authority on 19 January 2023, 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 development shall be carried out and completed in accordance with the agreed particulars.

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

In deciding not to accept the Inspector's recommendation to grant the retention of 2 number 1847mm boundary walls, the Board had regard to the zoning objective for the site and section 15.6.13 of the Development Plan, in considering that the development to be retained would not be in keeping with the established pattern in the vicinity and would be injurious to the visual character of the area.

**Board Member:**

  
Martina Hennessy

**Date:** 03/08/2023