

An
Bord
Pleanála

Board Direction
BD-017317-24
ABP-318351-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/08/2024.

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:

Amend condition number 3 (a) as follows

3. (a) The pedestrian access gates shall be open and have unrestricted access all year round from Monday to Sunday, inclusive, between the hours of 0630 and the seasonal listed closing times below, which shall be advertised at all access points to Hamilton Gardens and controlled by the Management Company for Hamilton Gardens
- October to April, inclusive, 1830 hours
 - May to September, inclusive, 2200 hours

Reason:

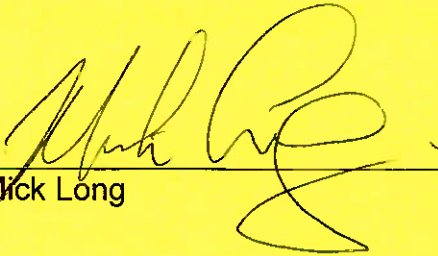
To allow for ease of access to retail and other neighbourhood facilities for local residents and to protect the residential amenity of the residents of Hamilton Gardens.

Reasons and Considerations

Having regard to the grounds of appeal, the reports submitted, the observation of third parties, the zoning objective and policy objective QHSN21 in the Dublin City

Development Plan 2022-2028 the Board agreed with the Inspector's report and considered that the condition should maintain permeability through the site for the community during daylight hours and largely restrict access after dark with fob access provided to residents at all times. In altering the Inspector's recommendation, the Board considered two distinct access periods would bring greater clarity for local residents.

Board Member:


Mick Long

Date: 27/08/2024