



The submissions on this file and the Inspector's report were considered at a meeting held on 24 September 2026.

The Commission, pursuant to section 37(1)(b) of the Planning and Development Act 2000, as amended, decided to determine the application as if had been made to it in the first instance (and did not restrict its considerations to the appealed condition number 3 pursuant to section 139 of the said Act).

The Commission, having considered the case, concurred with the planning authority decision and decided to issue a split decision:

(1) grant retention permission for the increase in height of the front and side boundary walls and associated site works for the reasons and considerations marked (1) under and subject to the conditions set out below, and

(2) to refuse retention permission for the existing vehicular gated entrance for the reasons and considerations marked (2) hereunder.

The Commission concurred with the Inspector's recommendation to attach condition number 3 as applied by the planning authority in its decision.

Reasons and Considerations (1)

Having regard to the planning history pertaining to the application site, specifically planning register reference 4999/23, to the design, construction methodology and finish of the boundary walls for which retention permission is sought, to the variations in the existing front boundary walls to neighbouring properties along Walkinstown Avenue, to the difference in ground levels between the application site and adjoining neighbouring sites, and also having regard to the provisions of the Dublin City Development Plan 2022-2023, it is considered that, subject to compliance with the conditions listed under, the limited increase in height of the boundary walls would not adversely impact on the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This grant of retention permission excludes the retention of the existing vehicular gated entrance.

Reason: In the interests of clarity.

3. The vehicular entrance and gate shall be removed and a concrete wall constructed to match existing in terms of height and finishes. Photographic evidence showing compliance with these requirements shall be submitted to the planning authority within 3 months of the date of this Order.

Reason: In the interests of traffic safety and orderly development and as indicated in the Reasons and Consideration (2) hereunder.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

Reasons and Considerations (2)

Having regard to the provisions of the Dublin City Development Plan 2022-2028, the Z1 zoning objectives and the proposed location and design of the vehicular entrance and the relationship of the site with the adjacent bus shelter and street tree, it is considered that the proposed vehicular entrance would result in a significant traffic safety hazard and would fail to comply with Section 15.6.9 (Trees and Hedgerows) and Appendix 5 (Transport and Mobility) of the Dublin City Development Plan 2022-2028. Furthermore, it would set an undesirable precedent

for similar type development contrary to the proper planning and sustainable development of the area.

Planning Commissioner:



Tom Rabbette

Date:

24th day of September 2026