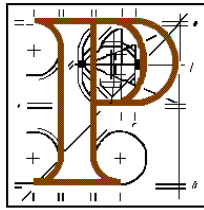


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 4058/15

An Bord Pleanála Reference Number: PL 29S.246152

APPEAL by Trina Donaghy and others care of 70 Wilfield Road, Sandymount, Dublin against the decision made on the 19th day of January, 2016 by Dublin City Council to grant subject to conditions a permission to Lyndsey Roche care of Kavanagh Ryan and Associates of Unit 48, The Egan Centre, Dargle Road, Bray, County Wicklow in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Removal of the existing front boundary wall for a new driveway to include a new pillar matching existing and also new gates at 41 Wilfield Road, Ballsbridge, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area, to the precedents existing in the area for removal of front boundary walls, to the nature of the proposal and to the congested nature of parking on the existing roadway, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual amenity of the area, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the nature and pattern of development in the area and to the visual impact of precedent developments and considered that the proposal would be acceptable from the point of view of residential and visual amenity.

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.

Reason: In the interest of clarity.

2. The public footpath outside the proposed vehicular entrance shall be reconstructed (dished) by the planning authority at the applicant's expense prior to occupation of the dwelling. Any works in the public roadway, including any repairs therein, which may be necessary as a result of building works, shall be carried out by the planning authority at the applicant's expense.

Reason: In the interest of proper planning and sustainable development.

3. The driveway entrance shall be at least 2.5 metres or at most 3.6 meters in width and shall not have outward opening gates.

Reason: In the interest of proper planning and sustainable development.

4. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1600 on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.