

Board Order PL 29N.249193

Planning and Development Acts 2000 to 2017 Planning Authority: Dublin City Council Planning Register Reference Number: WEB1314/17

Appeal by Una Mann of 5 Avondale Park, Raheny, Dublin against the decision made on the 10th day of August, 2017 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for the provision of a vehicle entrance to the front garden of an existing two storey mid-terrace dwelling. This included relocation of one of the exiting rendered pillars to a new location to form a four metre wide vehicle entrance and provision of a new paving/decorative stone surface to the front garden area and all associated works at 5 Avondale park, Raheny, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the pattern of development in the vicinity of the site, and to the provisions of the Dublin City Development Plan 2016 - 2022, it is considered that the amendments required by the terms of condition number 2 are reasonable in the interests of visual amenity and of pedestrian and traffic safety, and that to permit the retention of the subject development as originally proposed would not be appropriate. Accordingly, it is considered that the attachment of this condition, notwithstanding the personal circumstances put forward by the applicant, is in accordance with the proper planning and sustainable development of the area.

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.

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

Dated this day of 2017