



---

## **Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D18A/0520**

**Appeal** by B. and C. Murphy care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 19<sup>th</sup> day of July, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** New 3.5 metre wide vehicular access with 1.9 metre high gates to south boundary wall, accessing onto Stillorgan Park from Number 1 Elm Grove, Carysfort Avenue, Blackrock, County 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 REMOVE condition number 2(b) and the reason therefor.**

## **Reasons and Considerations**

Having regard to the levels of traffic associated with an existing single residential unit and the location of the existing entrance, off Carysfort Avenue, which is not considered a traffic hazard, there is no requirement for its closure and replacement with a pedestrian access. Furthermore, the proposed development would not result in an intensification of the use of this entrance and would not, therefore, create a traffic hazard at this location and would be 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.

---

**Maria FitzGerald**

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

**Dated this            day of            2018.**