



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1589/18

APPEAL by Ronan and Karen Daly care of ODKM Architects of 39 Fitzwilliam Street Upper, Dublin against the decision made on the 17th day of January, 2019 by Dublin City Council to refuse permission.

Proposed Development: Retention for as built 3,500 millimetres wide sliding entrance vehicular gate with 1,000 millimetres setback for safe use of same, in lieu of previously approved 2,600 millimetres wide inward opening vehicular gate, An Bord Pleanála appeal reference number PL 29S.248188 (planning register reference number WEB1521/16) at 1 Grosvenor Place, Rathmines, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

The proposed sliding vehicular gate at 3.5 metres in width for which retention is sought is located in an area governed by the zoning objective Z2 which seeks to protect and improve the amenities of residential conservation areas. It is considered that the development for which retention is sought would materially contravene condition number 4(a) of An Bord Pleanála appeal reference number PL 29S.248188 (planning register reference number WEB1521/16) which stipulates that the vehicular entrance shall be a maximum of 2.6 metres in width. Furthermore, the development for which retention is sought would also be contrary to Section 16.10.18 of the current Dublin City Development Plan which requires that vehicular entrances in Residential Conservation Areas should, where possible be no greater than 2.6 metres. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.