



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3507/19

Appeal by Paul Keogh and Rosemary Commons care of Adrian Hill Architects Limited of Number 15 The Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin against the decision made on the 9th day of September, 2019 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of (1) The demolition of a rear single storey annex. (2) Reinstating the dwelling as a single residential unit from five number apartments. (3) The construction of a single storey extension to the rear and side of the existing house with associated rooflights. (4) The construction of a new front vehicular entrance with new electric gates. (5) Other minor works, boundary treatments and all associated site works, all at 32 Haddon Road, Clontarf, 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 AMEND condition number 4 so that it shall be as follows for the reasons set out.

4. (a) The new vehicle entrance shall be 2.6 metres wide and shall not have outward opening gates. The reduction in width shall be inward of the proposed southern gate pillar. A maximum of two number car parking spaces shall be provided on site, with the remainder of the front garden being permanently retained in soft landscaping/planting. The new gate pillars and any proposed gates shall be similar to the existing front boundary treatments.
- (b) The developer shall ensure that the existing tree on the public footpath is not impacted by the creation of the vehicle entrance, and this tree shall not be removed in any circumstance. During the period of construction, the tree shall be protected in accordance with British Standard 5837 (2012).
- (c) Prior to commencement of development, the developer shall consult with the relevant authority in respect of the existing utility pole.

Reason: In the interest of amenity.

Reasons and Considerations

Having regard to the pattern of development in the area and to the planning history including that relating to the adjoining property at Number 33 Haddon Road, it is considered that the omission of a vehicle entrance, as required by condition number 4, is unwarranted and that the proposed reduced width entrance, as submitted with the appeal, would be acceptable subject to the retention of the remainder of the front garden and the protection of the street tree.

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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.