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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3722/19**

**Appeal** by Fiona Kelly care of CPA Architects of 18 Dartmouth Square, Ranelagh, Dublin against the decision made on the 4<sup>th</sup> day of October, 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 an increased hard standing in the front garden to accommodate an additional car parking space and associated modified landscaping; provision of a sliding gate incorporating an original salvaged section of wrought iron gate and the reinstatement of a long-demolished brick pier at boundary to match original piers to the front boundary wall, all at 3 Royal Canal Terrace, Phibsborough Road, Dublin (a Protected Structure).

## **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 3 and the reason therefor.**

## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development and to the existing pattern of development in the area, it is considered that the installation of a sliding gate would not adversely affect the character or setting of the protected structure, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, 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.

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**Paul Hyde**

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

**Dated this            day of            2019.**