



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1612/19

Appeal by Maria Delaney care of Eileen Cantwell Architects of Windgate Road, Howth, Dublin against the decision made on the 4th day of December, 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: A proposed vehicular entrance to front of house at 55 Brian Road, Marino, 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 3 so that it shall be as follows for the reason set out.

3. The development shall adhere to the following:
 - (a) The vehicular entrance shall be no greater than 2.6 metres in width.
 - (b) The entrance gates shall be designed so as not to open outwards.

Reason: To protect the existing amenities of this important residential conservation area and to comply with the requirements of Section 16.10.18 of the Dublin City Development Plan 2016-2022.

Reasons and Considerations

Having regard to the pattern of development in the area and the provisions of the Dublin City Development Plan 2016-2022, and to the limited nature of the subject development, it is considered that the amendment to condition number 3 of this planning permission as set out above is reasonable and appropriate. The proposed development would not seriously injure or detract from the amenities of this conservation area or of property in the vicinity.

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 2020.