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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3307/20**

**Appeal** by Anthony and Gillian McCauley of 11 Calderwood Avenue, Drumcondra, Dublin against the decision made on the 27<sup>th</sup> day of October, 2020 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a single storey extension to the rear, a first floor extension over the garage, with the attic converted to non-habitable space incorporating a rear dormer, side dormer and skylight, provision of a bay window to the front and widening of vehicular entrance and all associated site works at 11 Calderwood Avenue, Drumcondra, Dublin.

## **Decision**

**Having regard to the nature of the conditions 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 ATTACH conditions numbers 7 and 8 and the reasons therefor, and to REMOVE condition number 4 and the reason therefor.**

## **Reasons and Considerations**

Having regard to the provisions of the Dublin City Council Development Plan 2016 – 2022, and to the nature and scale of the proposed development within a 'Z1 - Sustainable Residential Neighbourhoods' zone with a stated objective 'to protect, provide and improve residential amenities', it is considered that, the removal of condition number 4, and the attachment of condition numbers 7 and 8 would not seriously injure the visual amenities of the area or of property in the vicinity and would not result in any significant negative impact on the character of the area, would be acceptable in terms of pedestrian safety and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In not agreeing with the Inspector's recommendation to remove conditions numbers 7 and 8, the Board considered that vehicular entrance widths of 3.6 metres are generally only acceptable where exceptional circumstances exist, and that the proposed width is excessive in this instance having regard to pedestrian safety and streetscape character. Furthermore, the area of hard surfacing proposed would have a negative visual impact and would therefore seriously injure the visual amenity 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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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2021.**