

---

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3631/20**

**APPEAL** by Prime GP1 of Heritage House, 23 Saint Stephen's Green, Dublin against the decision made on the 15<sup>th</sup> day of December, 2020 by Dublin City Council to refuse permission.

**Proposed Development:** Construction of two number two-storey three-bedroom dwellings of circa 144 square metres gross floor area (House A) and circa 152 square metres gross floor area (House B), respectively. Both dwellings will have first floor screened private balconies. The application will provide for all other site development works, site services, drainage and engineering works necessary to facilitate the proposed development, all on a circa 350 square metres site to the rear of 23 Oaklands Drive, Rathgar, Dublin, bounded by Saint Luke's Hospital to the south, Woodbine Cottage to the east, 21 and 23 Oaklands Drive to the north and 31 Oaklands Drive to the west.

**Decision**

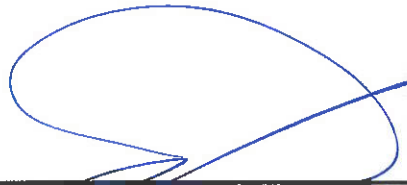
**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Matters Considered

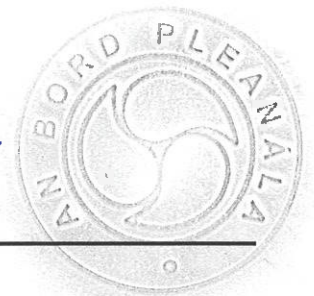
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

On the basis of the information submitted with the planning application and appeal, the proposed development is reliant on works to provide access arrangements to the site from outside of the appeal site (red line) boundary. Such arrangements are on/through private lands which appear to be outside the control of the applicant. The Board is not satisfied the applicant have demonstrated sufficient legal interest over the access roads to the site, nor have the appropriate consents from the owners of the access roads been submitted with the application in order to execute the permission. The Board therefore considers that the proposed development would endanger public safety by reason of traffic hazard as it has not been demonstrated that safe access to the proposed development will be provided.



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



Dated this 25<sup>th</sup> day of MAY 2021.