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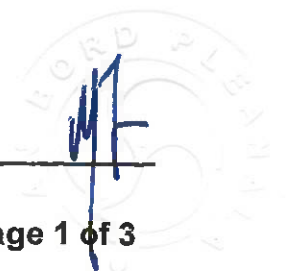
**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3967/20**

**Appeal** by Robert Purcell and Audrey Clancy care of Philip Boyd and Associates of 12 Windsor Villas, Fairview, Dublin against the decision made on the 19<sup>th</sup> day of February, 2021 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 (i) building a two-storey extension at the front of the house comprising of a new hallway and bicycle storage room at ground floor level and a new bedroom above, (ii) two roof windows to the front of the dwelling, (iii) a living room bay window with extended flat roof canopy at the front, (iv) incorporating the existing garage into the kitchen area with new monopitch roof with two rooflights at the side of the house and (v) widening the existing driveway entrance. The works also include all associated internal, site and drainage work, all at 38 Grace Park Heights, 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 condition number 4 and the reason therefor, and REMOVE condition number 3 (a), (b) and (d) and the reason therefor.

## Reasons and Considerations

Having regards to the location of the proposed entrance to a junction and to the provisions of the Dublin City Council Development Plan, 2016 to 2022, in particular the provisions, as set out in the document 'Parking Cars in Front Gardens', which advocate the provision of narrower width entrances, it is considered that the proposed development would lead to a greater potential for conflict between road users, including vulnerable road users, in close proximity to a junction and would, therefore, be contrary to the proper planning and sustainable development of the area. For these reasons it is considered that condition number 4 is warranted in this instance.

Having regard to the nature and scale of the proposed development and to the pattern of development in the area, including the terraced character of the streetscape, it is considered that the modifications proposed under condition number 3 (a), (b) and (d) are not warranted. The proposed development would not have a significant impact on the residential or visual amenities of the area 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.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 13<sup>th</sup> day of August 2021.