



An  
Bord  
Pleanála

Board Order  
ABP-310070-21

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2234/21**

**Appeal** by Malcolm Prince care of Cornahilt Design Studio of Cornahilt Lodge Barn, The Grove, Ballyjamesduff, County Cavan against the decision made on the 13<sup>th</sup> day of April, 2021 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** The widening of existing pedestrian entrance to allow for vehicular access including demolition of existing pier and part of wall to the front of existing property, removal of existing tree and construction of similar pier with new entrance gates to match existing, footpath dishing and all ancillary site works required at 506, Mourne Road, Drimnagh, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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**

Having regard to section 16.3.3 of the Dublin City Development Plan 2016-2022 and section 3.3.3 of the Dublin Tree Strategy 2016-2020, which allow for the relocation or replacement of street trees to facilitate vehicular entrances if their removal cannot be avoided, to the existing proliferation of on-curtilage parking in front of houses in the area, and to the limited contribution that the tree that would be removed in this case makes to the appearance of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of the safety and convenience of road users, and would be in keeping with the provisions of the development plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to commencement of development, the developer shall submit for the agreement of the planning authority full details of the planting of a tree in the street to replace that which would be removed as part of the permitted development. If agreement on these details cannot be concluded or if the planting of a replacement tree cannot be carried out in the agreed manner, the developer shall pay to the planning authority a financial contribution towards the planting of a replacement street tree elsewhere in the area, the amount of which shall be agreed between the planning authority and the developer or, in default of agreement, by An Bord Pleanála.

**Reason:** In the interest of visual amenity.

3. The footpath shall be dished and reinstated in accordance with the detailed requirements of the planning authority. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of public safety and orderly development.



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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board**

Dated this *28<sup>th</sup>* day of *June* 2021