

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1646/21

Appeal by Sheila Hynes care of Matthew Fagan Architects of 229 Clonliffe Road, Drumcondra, Dublin against the decision made on the 6th day of August, 2021 by Dublin City Council in relation to an application by Sheila Hynes for permission for the construction of a vehicular entrance to the front of the property and the construction of a sky light in the main roof to the front of the property at 15 Fairfield Road, Glasnevin, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for construction of a sky light in the main roof to the front of the property and to refuse permission for the construction of a vehicular entrance to the front of the property).

Decision

GRANT permission for the construction of a sky light in the main roof to the front of the property in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. **REFUSE** permission for the construction of a vehicular entrance to the front of the property based on the reasons and considerations marked (2) under.

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 (1)

Having regard to the residential land use zoning of the site, to the prevailing pattern and character of existing development in the vicinity, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. 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 completed in accordance with the plans and particulars lodged with the application.

Reason: In the interest of clarity.

2. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

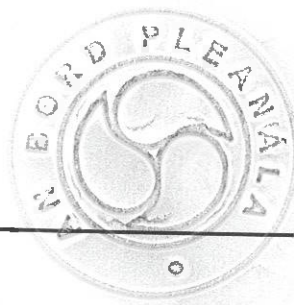
Reasons and Considerations (2)

1. The proposed vehicular entrance, by reason of the loss of an on-street car parking space in a location where there is high demand for on-street car parking, would be contrary to Policy MT14 of the Dublin City Development Plan 2016 - 2022, which seeks to minimise the loss of on-street parking as a resource for the city. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The layout and restricted dimensions of the proposed off-street parking area and the width of the entrance would result in a car having to access and egress the site at an angle thereby impeding the driver's visibility of pedestrians using the footpath and resulting in pedestrian/vehicular conflicts. The proposed development would, therefore, endanger public safety by reason of traffic hazard and be contrary to proper planning and sustainable development.


Michelle Fagan

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



Dated this 13th day of January 2022.