



An
Bord
Pleanála

Board Order
ABP-311548-21

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1761/21

Appeal by Joseph Stanley care of Roisin Collins of 58 Mount Drummond Square, Harold's Cross, Dublin against the decision made on the 6th day of September, 2021 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Removal of the existing front pedestrian entrance wall and railing, to create a new pedestrian and vehicular entrance with associated site works at 60 Mount Drummond Square, Harold's Cross, 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 the pattern of development in the area, including front garden parking spaces and subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the amenity of the area and would be in accordance with the Dublin City Development Plan 2016-2022 and 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 as amended by the further plans and particulars received by An Bord Pleanála on the 1st day of October 2021, 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. (a) The proposed car parking space shall be surfaced with a permeable finish.
- (b) A boundary wall/fence and gates shall be constructed along the footpath and the footpath shall be dished.

Prior to commencement of development plans and particulars providing for these arrangements shall be submitted to, and agreed in writing, with the planning authority.

Reason: To avoid damage to a nearby tree and in the interest of the visual amenity of the area.

3. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of the dishing of the public footpath at the entrance to the permitted car parking space. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board



Dated this 11th day of January 2022