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**Planning and Development Acts 2000 to 2021**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD21B/0448**

**Appeal** by Janice and Michael McVeigh care of Liam Cullen Design and Planning of 44 Ballinteer Crescent, Dublin against the decision made on the 7<sup>th</sup> day of October, 2021 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Increase in height of part of the existing low level boundary wall to 1.75 metre high screen walls abutting the public footpath along the south west boundary line, together with additional 1.75 metre high screen walls within the site to provide screening for the proposed additional private open space to the south west corner of the overall site with access from the dwelling via the proposed new French doors in lieu of one kitchen window on the south west elevation together with the relocation of existing pedestrian entrance with access onto Dangan Park at 59 Dangan Park, Kimmage, Dublin.

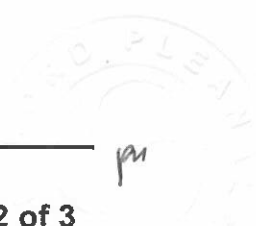


## **Decision**

**Having regard to the nature of the condition 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 2 and the reason therefor.**

## **Reasons and Considerations**

Having regard to the residential land use zoning for the site, and to the pattern of development in the area, it is considered that the proposed 1.75 metre high boundary wall, by reason of its height and its location with respect to adjoining properties, would reduce surveillance of the street and detract from the established character of the area. The planning authority's Condition 2 requiring the boundary wall to be limited in height to 1.2 metres is, therefore, warranted.



## 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.



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**Paul Hyde**

**Member of An Bord Pleanála**

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

Dated this 25<sup>th</sup> day of January 2022

