



Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 4415/22

APPEAL by Anne Kearns of 5 Malone Gardens, Bath Avenue, Dublin against the decision made on the 29th day of August, 2022 by Dublin City Council to refuse permission.

Proposed Development: Widen existing pedestrian entrance and create a new vehicular entrance to provide for off street parking with associated kerb dishing at 5 Malone Gardens, Dublin.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

P.C.

Reasons and Considerations

1. The proposed development would result in the loss of on-street parking spaces which would reduce the supply available to residents on the street and in the wider area. The proposed development would be contrary to Section 4.1 (On Street Parking) and Section 4.3 (Parking in Front Gardens) of Appendix 5 of the Dublin City Development Plan 2022-2028, which seeks to retain on-street parking as a resource for the city as far as practicable. Furthermore, the design and layout of the proposed off-street car parking space would be contrary to the standards set out generally under Section 4 (Car Parking Standards) of Appendix 5 of the Dublin City Development Plan 2022-2028. The proposed development would be out of character with the intrinsic character and features of the streetscape, would set an undesirable precedent for further inappropriate development in the area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

P. C.

2. The proposed development would impact on a street tree located on the public footpath adjacent to the site in a manner that would be contrary to Section 4.3.2 (Impact on Street Trees) of Appendix 5 of the Dublin City Development Plan 2022-2028. The proposed development would set an undesirable precedent for the loss of street trees that contribute positively to the visual amenities of the area, urban greening and biodiversity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Member of An Bord Pleanála

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



Dated this *27* day of *June* 2023.