



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1032/23

Appeal Gustavo Tomazi Ludwig of 15 Dromard Road, Drimnagh, Dublin against the decision made on the 15th day of March, 2023 by Dublin City Council to grant permission, subject to conditions, to Margaret Kennedy care of Matthew Fagan of 229 Clonliffe Road, Drumcondra, Dublin for development comprising retention of construction of raising two rendered block walls to a height of 1,847 millimetres and a length of 1,847 millimetres, both to the front of the property; one of which is a boundary wall and one of which is within the curtilage of the property. Retention permission is also sought for the amalgamation of the pedestrian and vehicular openings into a vehicular entrance of 3,395 millimetres wide, all at 13 Dromard Road, Drimnagh, Dublin.in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for the amalgamation of the pedestrian and vehicular openings into a vehicular entrance of 3,395 millimetres wide in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the condition set out below.

REFUSE permission for retention of construction of raising two rendered block walls to a height of 1,847 millimetres and a length of 1,847 millimetres, both to the front of the property based on the reasons and considerations marked (2) under

Reasons and Considerations (1)

Having regard to the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the condition set out below, retention of the vehicular/pedestrian entrance would not represent a traffic hazard or represent a danger to pedestrian traffic on the footpath. This element of the development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Condition

The development shall be retained and completed in accordance with the plans and particulars received by the planning authority on the 19th day of January 2023.

Reason: In the interest of clarity.

Reasons and Considerations (2)

Having regard to the provisions of the Dublin City Development Plan 2022-2028, including the Z1 zoning objective which seeks “to protect, provide and improve residential amenities”, it is considered that retention of the two number walls at a height of 1,847 millimetres would not be in keeping with the established pattern in the vicinity, would seriously injure the visual character of the area and be contrary to section 15.6.13 of the development plan. This retention of this element of the development would, therefore, be contrary to the proper planning and sustainable development of the area.

NA

In deciding not to accept the Inspector's recommendation to grant the retention of two number 1,847 millimetres boundary walls, the Board had regard to the zoning objective for the site and section 15.6.13 of the development plan, and considered that this element of the development to be retained would not be in keeping with the established pattern in the vicinity, and would seriously injure the visual character of the area.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *9th* day of *August* 2023.

