

An  
Bord  
Pleanála

Board Order  
ABP-318967-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1984/23**

**APPEAL** by Frances and Aogán O'Fearthail of 27 Hardiman Road, Drumcondra, Dublin against the decision made on the 11<sup>th</sup> day of January, 2024 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** Construction of vehicular access and driveway at 27 Hardiman Road, Drumcondra, Dublin.

## **Decision**

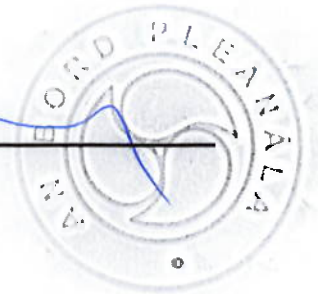
**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

Having regard to the location of a mature street tree in the footpath along this section of Hardiman Road to the front of the subject site, it is considered that it would not be possible to construct the 2.5 metres wide proposed vehicular entrance and the required associated splayed footpath dishing without negatively impacting on the tree root zone of the existing street tree given the deficient residual clearance distance between the proposed vehicular access and dishing and the surface of the tree trunk. Therefore, the proposed development would be contrary to the provisions of Appendix 5, Section 4.3.2 (Impact on Street Trees) of the Dublin City Development Plan 2022-2028, would seriously injure the amenities of properties in the vicinity, would set an undesirable precedent and would not be in accordance with the proper planning and sustainable development of the area.



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



Dated this 24<sup>th</sup> day of June 2024.