



Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1124/26

Appeal by Tom Brady against the decision made on the 13th day of March 2026, by Dublin City Council to grant permission subject to conditions in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the erection of one number two-storey three-bedroom detached dwelling house (approximately 119 square metres gross internal area), and associated site works, to include demolition of existing single storey garage store (approximately 50 square metres gross area), wall and 'lean to' store (approximately 14.5 square metres gross area) on site (approximately 168 square metres/0.0168 hectares site area) in existing rear garden, all at 29 Saint Brigid's Road Upper, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission 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 amend condition number 3 so that it shall be as follows for the reason set out.

3. The development shall comply with the following requirements of the Council's Transportation Planning Division:
 - (a) The existing dished kerbing shall be removed and full upstand kerbing shall be constructed to the requirements of the Area Engineer, Roads Maintenance Division. This shall be carried out prior to occupation of the residential unit.
 - (b) The applicant/developer shall contact the Area Traffic Engineer and Parking Enforcement Section regarding alterations to pay and display scheme/line markings, in order to extend the parking bays to include the vehicular entrances to be removed. All works shall be at the developer's expense including fees applicable for the removal of a Pay and Display permit parking bay. This shall be carried out prior to occupation of the residential unit.
 - (c) The proposed new pedestrian entrance openings shall not have outward opening gates.
 - (d) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

- (e) The developer shall be obligated to comply with the requirements set out in the Code of Practice.

Reason: In the interests of pedestrian and traffic safety

Reasons and Considerations

Having regard to the residential land use zoning of the site, the infill nature of the development, the prevailing form and pattern of development and its interface with the public realm, and the availability of on-street parking in the area, it is considered that the proposed development would be in keeping with the residential character of the area and would protect public amenity and not cause any traffic hazard in the area. Condition number 3(a) of the planning authority's decision requiring the submission of revised drawings showing a setback from the public realm is, therefore, not warranted. Condition number 3(b) of the planning authority's decision requiring to advertise zero-car parking on site and in the vicinity of the site is, therefore, not warranted.



Mary Gurrrie

Mary Gurrrie

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *29* day of *June* 2026