

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1947/26

Appeal by Kieron Fitzgerald against the decision made on the 17th day of June, 2026 by Dublin City Council in relation to the application by Kieron Fitzgerald for permission for development comprising the retention of the existing vehicular gated entrance and the increase in height of the front and side boundary walls and all associated site works, all at 66A Walkinstown Avenue, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for the increase in height of the front and side boundary walls and to refuse permission for a vehicular entrance).

Decision

GRANT retention permission for the increase in height of the front and side boundary walls and associated site works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. **REFUSE** retention permission for the existing vehicular gated entrance for the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the planning history pertaining to the application site, specifically planning register reference 4999/23, to the design, construction methodology and finish of the boundary walls for which retention permission is sought, to the variations in the existing front boundary walls to neighbouring properties along Walkinstown Avenue, to the difference in ground levels between the application site and adjoining neighbouring sites, and also having regard to the provisions of the Dublin City Development Plan 2022-2023, it is considered that, subject to compliance with the conditions listed under, the limited increase in height of the boundary walls would not adversely impact on the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission concurred with the Inspector's recommendation to attach condition number 3 as applied by the planning authority in its decision.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This grant of retention permission excludes the retention of the existing vehicular gated entrance.

Reason: In the interests of clarity.

3. The vehicular entrance and gate shall be removed and a concrete wall constructed to match existing in terms of height and finishes.
Photographic evidence showing compliance with these requirements shall be submitted to the planning authority within three months of the date of this Order.

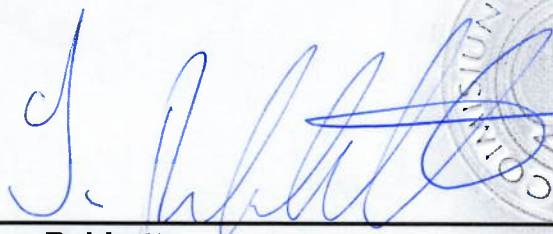
Reason: In the interests of traffic safety and orderly development and as indicated in the Reasons and Consideration (2) hereunder.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

Reasons and Considerations (2)

Having regard to the provisions of the Dublin City Development Plan 2022-2028, the Z1 zoning objectives and the proposed location and design of the vehicular entrance and the relationship of the site with the adjacent bus shelter and street tree, it is considered that the proposed vehicular entrance would result in a significant traffic safety hazard and would fail to comply with Section 15.6.9 (Trees and Hedgerows) and Appendix 5 (Transport and Mobility) of the Dublin City Development Plan 2022-2028. Furthermore, it would set an undesirable precedent for similar type development contrary to the proper planning and sustainable development of the area.



Tom Rabbette

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 25th day of Spt. 2026.