



An  
Bord  
Pleanála

**Board Direction**  
**BD-011577-22**  
**ABP-314358-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/12/2022.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

#### **Reasons and Considerations**

Having regard to the nature and scale of the proposed development, the planning history of the site, its proximity to the ACA and subject to compliance with conditions set out below, it is considered that the proposed development would not seriously injure the visual amenities of the area, including those of the ACA and would therefore be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that, notwithstanding the inconsistencies between the plan dimensions and the elevational dimensions shown on the submitted drawings, the impact of the proposed development could be assessed, and that subject to compliance with conditions attached to the permission which remove the boundary timber fence and piers above the height of the original wall, the inclusion of a landscaped boundary treatment, the reduction of the area of the structure and set back from the front boundary, the Board was satisfied that the proposed development would not seriously injure the visual amenities of the surrounding area, including the ACA.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 29th day of June 2022, 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. The proposed development shall be amended as follows:
  - (a) The floor area of the domestic garage shall be reduced to 60sqm, with a maximum external dimension of 6.3 metres at the gable ends.
  - (b) The garage shall be positioned a minimum of 3 metres from the front boundary.
  - (c) The width of the vehicular access(es) to the garage shall be reduced to 3 metres.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual and residential amenity.

3. PA condition 3
4. PA condition 4.
5. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) the establishment of a hedgerow along McGrath's Lane, and

(b) planting of trees at approximately 3 metre intervals along the boundary of the site with McGrath's Lane.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

**Board Member**

  
Michelle Fagan

**Date:** 15/12/2022

