

An  
Bord  
Pleanála

**Board Direction**  
**BD-016693-24**  
**ABP-318413-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/06/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the design, limited scale, nature and location of the proposed vehicular access and driveway, the proposed development's compliance with the minimum standards set out in the Dublin City Development Plan 2022-2028 Section 4.3 Parking in Front Gardens. (Sections 4.3.2 in particular relating to minimum clearance required from the surface of the street tree trunk to the proposed edge of the dishing) and to the presence of other similar street trees in proximity to vehicular accesses in the road and, subject to the conditions set out below, it is considered that it has not been satisfactorily demonstrated that the proposed development would negatively impact on the tree root zone of the street tree to such an extent as to constitute a serious threat to the long term viability of the tree. The proposed development would not, therefore, seriously injure the amenities of property in the vicinity or the visual amenities of the area and would as such be in accordance with the proper planning and sustainable development of the area.

### **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 received by An Bord Pleanála on the 8th day of November, 2023, 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 vehicular entrance hereby permitted shall be constructed with a maximum width of no more than 2.5 metres and the development shall at all times be constructed and maintained thereafter retaining a minimum spacing of 2.8 metres from the surface of the street tree trunk to the proposed edge of the dishing of the vehicular entrance.

Reason: To protect the street tree to the front of the property in the interests of the amenities of the area

3. Prior to commencement of development amended drawings shall be submitted to, and agreed in writing with the planning authority providing for landscaped strips to the edges of the parking area along with a planting scheme for these strips.

Reason: in the interests of sustainable development and the amenities of the area

4. No works shall take place on site until a construction management plan specifying measures to be taken for the protection and retention of the street tree to the front of the property, together with proposals to prevent compaction of the ground over the roots of the tree, has been submitted to, and agreed in writing with, the planning authority. Any excavation within an area in the vicinity of the street tree to be agreed in the construction management plan shall be carried out using non-mechanised hand tools only.

Reason: To protect the street tree during construction in the interests of the amenities of the area.

5. Surface water drainage arrangements including measures to comply with SUDS provisions shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of sustainable development and public health.

6. The site and building works required to implement the development hereby permitted shall only be carried out between the hours of:

0700 hours to 1800 hours Monday to Friday

0800 hours to 1400 hours Saturday

Sundays and Public Holidays No activity on site

No deviation from these times shall be permitted unless a written request has been previously submitted to, and agreed in writing by, the planning authority

Reason: In the interest of orderly development and to protect the amenities of the area.

7. The development shall comply with the following requirements:

(a) Kerb to be dished and new entrance provided in accordance with the requirements of the Dublin City Council Roads Maintenance Department

(b) No gates shall open outward

(c) All costs incurred by Dublin City Council including any repairs to the public road and services necessary as a result of the construction of the development shall be at the expense of the developer.

Reason: To ensure a satisfactory standard of development in the interests of the amenities of the area and traffic safety

8. Site development and construction works shall be carried out in such a manner as to ensure that the adjoining street is kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public road this shall be carried out at the developers expense.

Reason: In the interests of orderly development, the amenities of the area and traffic safety.

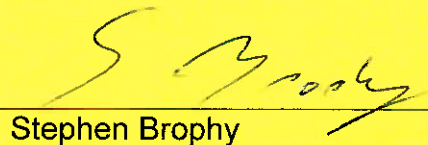
9. Prior to commencement of development, a Bond or bank draft to the value of €1,500.00 shall be lodged with the Dublin City Council as a security for the protection



of the existing street tree in front of the property. This bond will be released twelve months after the completion of all site works once the planning authority is satisfied that the tree has been preserved in its prior condition, has suffered no substantive damage as a result of the development and the developer has complied with the requirements of the planning authority in regard to tree protection.

Reason: To protect the street tree during construction in the interests of the amenities of the area.

**Board Member**

  
Stephen Brophy

**Date:** 19/06/2024