

An
Coimisiún
Pleanála

Direction
CD-021280-25
ACP-323065-25

The submissions on this file and the Inspector's report were considered at a meeting held on 14/11/2025.

The Commission decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for the altered barbecue structure to the rear garden (chimney removed, pipe flue used)

contrary to the Inspector's recommendation, for the reasons and considerations marked (1) under and subject to the conditions set out below,

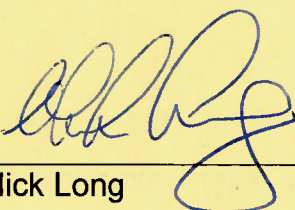
and

- (2) refuse permission for the tarmac finish to the front driveway and
- (3) refuse permission for the 4.02m vehicle entrance width

in accordance with the Inspector's recommendation, for the following reasons and considerations marked (2) and (3) hereunder.

Planning

Commissioner:


Mick Long

Date: 14/11/2025

DRAFT WORDING FOR ORDER

(1) Reasons and Considerations

The commission is satisfied, based on the submissions made in connection with the application and the appeal, that the proposed development of an altered barbecue structure with flue in the rear garden of No.06 Shanowen Avenue would not be an unusual feature in a rear garden and would not impact adversely on the residential amenity of properties in the area. The development proposed and to be retained, therefore, would not be contrary to the Z1 Zoning Objective which seeks “to protect, provide and improve residential amenities” as set out in the Dublin City Development Plan 2022-2028, and would therefore comply with the provisions of the Development Plan and the proper planning and sustainable development of the area.

In deciding not to accept the Inspector’s recommendation to refuse the altered barbecue structure the Commission agreed with the Inspector that the removal of the chimney structure and replacement with the proposed flue would be visually less dominant and would not impact on the visual amenity of the neighbouring properties given its proposed location at the rear of the garden, however the Commission was not satisfied the domestic barbecue would cause sufficient nuisance to the amenity of neighbouring properties to warrant a refusal. The Commission was satisfied this permission given the specific particulars of the proposed development and setting would not cause a precedent in the area.

Conditions:

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, received by the planning authority on 21st July 2025, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The barbecue structure shall not exceed 1.6m in height and the flue structure shall be 0.1m in diameter and shall not extend more than 0.75m further above the barbecue.

Reason: In the interests of visual and residential amenity.

(2) Reasons and Considerations

The retention of the non-permeable tarmacked driveway and hardstanding, without additional sufficient drainage measures would be contrary to policy SI24 of the Dublin City Development Plan 2022-2028 which requires all private driveways to be managed through the use of SuDS and would be inconsistent with the guidance at Section 4.3.4 of Appendix 5 of the Development Plan. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

(3) Reasons and Considerations

The retention of the 4.02 metre vehicular entrance would be contrary to Section 4.3. of Appendix 5 of the Dublin City Development Plan 2022-2028, which states that for a single residential dwelling, the vehicular opening proposed shall be at most 3 metres. The entrance, if retained at its as built width, would, therefore, result in the creation of conflict with pedestrian safety by facilitating hazardous manoeuvring at increased speed and extensive dishing of the footpath. The proposed development would, therefore, endanger public safety by reason of traffic hazard and be contrary to the proper planning and sustainable development of the area.