

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: WEB1453/16

An Bord Pleanála Reference Number: PL 29N.247896

APPEAL by Joseph and Noreen Kenny of 101 Furry Park Road, Howth Road, Dublin against the decision made on the 19th day of December, 2016 by Dublin City Council to grant subject to conditions a permission to BnR Design Studio of 5 Evora Terrace, Howth, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of a single storey shed with a flat roof to the rear of existing house at 103 Furry Park Road, Killester, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Dublin City Development Plan 2016-2022, to the planning history of the overall site and to the scale and nature of the subject development, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the residential amenities of the area or of property in the vicinity, The development for which retention is sought would, therefore, not be contrary to the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained 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.

Reason: In the interest of clarity.

2. The shed shall not be used for human habitation, nor for the housing of animals or birds, domestic or otherwise, nor for any use other than as a use incidental to the enjoyment of the adjoining dwellinghouse.

Reason: In order to protect the residential amenity of the subject and surrounding properties.

3. The shed shall be used solely in conjunction with the main dwellinghouse and shall not be occupied other than as part of the overall site that includes this dwelling and its garden. The shed shall not be let, sold or otherwise transferred or conveyed except as part of the overall site that includes the dwellinghouse and its garden.

Reason: In order to ensure that the shed is retained within the overall site that includes the existing dwelling, and is not subdivided or separated from it, and that it is used solely in conjunction with the dwelling.

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 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 amenities of property in the vicinity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.