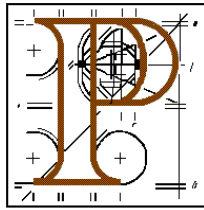


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Dublin City Council**

**Planning Register Reference Number: 2972/17**

An Bord Pleanála Reference Number: ABP-300345-17

**APPEAL** by Terenure West Residents' Association care of 88 Parkmore Drive, Terenure, Dublin and by others against the decision made on the 9<sup>th</sup> day of November, 2017 by Dublin City Council to grant subject to conditions a permission to James and Mark Nolan care of J. J. Martin of 15 Castletown Lawn, Celbridge, County Kildare in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Erection of a dormered type studio/hobby workshop (non-commercial) for leisure use only and the provision of one car parking space which is to be contained within the boundaries of the site, all at Greenlea Grove, Terenure, 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 pattern of development in the vicinity and the nature, scale and design of the proposed structure, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of neighbouring property, would not unduly detract from the setting of neighbouring structures, would represent an appropriate form of development that would be compatible with its surroundings, and would be acceptable in terms of pedestrian and vehicular safety. The proposed development would, therefore, 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 submitted to the planning authority on the 13<sup>th</sup> day of October 2017, 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 external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The roof shall be blue-black or slate grey in colour only, including ridge tiles.

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

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to use as a recreational/hobby studio/workshop (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission. The use of the subject building for any form of commercial business or activity, or for residential purposes, shall not take place, unless specifically authorised by a prior grant of planning permission.

**Reason:** To protect the amenities of property in the vicinity, and to delimit the use of the subject property to the use for which application was made.

4. 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:** To ensure adequate servicing of the development, and to prevent pollution.

5. 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 residential amenities of property in the vicinity.

6. Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B. S. 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

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

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

**Dated this            day of            2018.**