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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4337/18.**

**Appeal** by Joseph Haide care of Architectural Construction Technology of An Tigh, Ballyogan Avenue, Carrickmines, Dublin against the decision made on the 9<sup>th</sup> day of January, 2019 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** Retention of single storey timber racing pigeon loft, single storey timber and wire mesh aviary and single storey timber support storage shed at 145 Kildare Road, Crumlin, 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 zoning objective of the area, the design, layout and scale of the proposed development to be retained and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity. The proposed development for which permission to retain is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained 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. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The development hereby permitted shall be for a period of five years from the date of this Order. The three structures: storage shed, aviary and pigeon loft shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period or permanently.

**Reason:** To enable the impact of the development to be re-assessed, having regard to changes during the period of five years, and to the circumstances then prevailing.

3. The pigeon loft, aviary and storage shed shall be used in association with the applicant's racing pigeon hobby only and shall not be used for commercial purposes.

**Reason:** In the interest of clarifying the nature of the use and intensity of the development hereby permitted, and in the interest of residential amenity.

4. In the event that the applicant sells or ceases to reside in the associated dwelling, the pigeon loft, aviary and storage shed shall be permanently removed.

**Reason:** In the interest of clarity, having regard to the details of the application submitted.

5. Within two months of the date of the Board's Order, the developer shall submit revised drawings showing the removal of the trellis fencing on the top of the existing pigeon loft to the planning authority for written agreement.

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

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**Paul Hyde**

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

**Dated this            day of            2019.**