



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1419/19

Appeal by Ceanna and Pius Walsh of Ailtireacht of 30 Mountjoy Square, Dublin against the decision made on the 3rd day of September, 2019 by Dublin City Council to grant subject to conditions a permission to Emma Harney care of William J. Harney of Cedar House, 257 Lower Kilmacud Lower, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention and completion of a permanent open carport to provide parking and storage to the rear of 117A Strand Road, Sandymount, 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 nature and scale of the development proposed for retention, to the pattern of development in the vicinity, to the existing development on site, and to the policies of the Dublin City Development Plan 2016 - 2022, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity, and would not detract from the character of the area. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out 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. 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, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The carport shall be used for domestic purposes only incidental to the enjoyment of the dwellinghouse; the carport shall not be used as habitable accommodation.

Reason: In the interest of residential amenity

3. The carport shall be finished in render and all external finishes shall harmonise in colour and texture with the existing dwellinghouse, details of which shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwellinghouse.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

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

Dated this day of 2020