

An
Bord
Pleanála

Board Order
ABP-313537-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3305/22

Appeal by Caroline Mahon and Kevin Oliver care of Ryan and Lamb Architects of 41 Baggot Street Lower, Dublin against the decision made on the 13th day of April, 2022 by Dublin City Council to grant subject to conditions a permission to Kenneth Thomas care of Magahy Broderick Associates of 123 Lower Baggot Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Removal of an existing garage and construction of a single storey outbuilding for purposes incidental to the enjoyment of the house (approximately 65 square metres) and a car port and storage shed (approximately 3.2 square metres) all to the front of the property and for associated alterations to paving/landscaping and new boundary wall with 1 Blackheath Grove, at 2 Blackheath Grove, Clontarf, Dublin.

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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.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan, 2022 – 2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of properties in the vicinity or the visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

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2. The proposed development shall be amended as follows:

The construction of the proposed 2.1-metre-high boundary wall with number 1 Blackheath Grove to the south of the car port shall be omitted.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The proposed outbuilding shall only be used for purposes incidental to the enjoyment of the dwelling house on the site. As such, it shall not be used for a business involving visiting members of the public or for the sale of goods from the site and shall not be divided by means of sale, lease or otherwise from the dwelling house on the site.

Reason: In the interest of residential amenity.

4. Details of the materials, colours, and textures of all the external finishes to the proposed outbuilding shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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5. Prior to commencement of development, a scheme providing details of how the existing hedgerows to the site boundaries will be protected during the construction phase shall be submitted to, and agreed in writing with, the planning authority and, thereafter, the agreed scheme shall be fully implemented on a continuous basis throughout the construction phase. In the event that the hedgerow dies within three years of the completion of the development, it shall be replaced within the next planting season with others of similar size and species unless otherwise agreed in writing with the planning authority.

Reason: In order to safeguard the hedgerows in the interest of visual and residential amenity.

6. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. 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 or public holidays. Deviation from these times shall 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.

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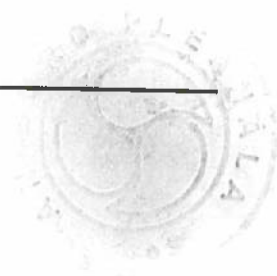
8. The fenestration to the east facing elevation shall be fitted with obscure glazing.

Reason: In the interest of residential amenity.

Oonagh de By

Oonagh Buckley

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



Dated this *16th* day of *July* 2023.