



An
Bord
Pleanála

Board Order
ABP-316292-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 5249/22

Appeal by John Barrett of 236 Ballymun Road, Dublin against the decision made on the 21st day of March, 2023 by Dublin City Council in relation to an application for permission for development consisting of a proposed new vehicular entrance to the front of 236 Ballymun Road, the existing front garage vehicular door to be changed to a pedestrian door and window, the side elevation to the garage to replace a window with a door and two number Velux's, and a proposed new ground floor only extension to the rear of the house connecting to existing garage and all ancillary works at 236 Ballymun Road, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the existing front garage vehicular door to be changed to a pedestrian door and window, the side elevation to the garage to replace a window with a door and two number Velux's and a proposed new ground floor only extension to the rear of the house connecting to existing garage and all ancillary works and to refuse permission for proposed new vehicular entrance to the front of 236 Ballymun Road).

Decision

GRANT permission for the existing front garage vehicular door to be changed to a pedestrian door and window, the side elevation to the garage to replace a window with a door and two number Velux's and a proposed new ground floor only extension to the rear of the house connecting to existing garage and all ancillary works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for a proposed new vehicular entrance to the front of 236 Ballymun Road based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

The application is zoned "Z1": 'To protect, provide and improve residential amenities', as set out in the Dublin City Development Plan 2022 - 2028. Having regard to the single storey nature of the existing garage, the modest scale of the amendments thereto, and the modest scale of the extension, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of the existing house or of other property in the vicinity, would, otherwise, comply with the provisions of the Development Plan and 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 on the 22nd day of February, 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions required 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 existing dwelling, amended garage and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, except as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

3. 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.



4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Reasons and Considerations (2)

Number 236 Ballymun Road is served by an existing shared vehicular entrance. The provision of an additional vehicular entrance would give rise to additional traffic movements to and from the public road at a point where there is a carriageway for vehicular traffic, a bus lane, a cycle lane and a pedestrian footpath and where the site is close to a Dublin City bus stop. The proposed development would, therefore, give rise additional traffic movements and would endanger public safety by reason of traffic hazard and obstruction of pedestrians.



Mick Long

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 16th day of August 2023.