



An
Bord
Pleanála

Board Order ABP-321477-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2193/24

Appeal by Maura Fleming and others care of Downey Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 18th day of November, 2024 by Dublin City Council to grant subject to conditions a permission to Nicole Hartnett and Ing-Mar Linn care of Michael Frain of 43 Downpatrick Road, Crumlin, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing single storey shed, creation of a new pedestrian and vehicular entrance from Iveagh Gardens, construction of a new two-bedroom (plus study) two-storey and part single storey dwellinghouse, one number off-street parking space and all associated site, boundary, landscaping, drainage and ancillary works, all at Iveagh Gardens and 284 Crumlin Road (rear), 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.

Reasons and Considerations

Having regard to the Z2 (Residential Conservation Area) land use zoning of the site, under which residential land uses are supported, the location of the site within the inner suburbs, the site configuration, and Policy QHSN6 (Urban Consolidation) of the Dublin City Development Plan 2022-2028, which seeks, inter alia, to promote and support residential consolidation through infill development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or depreciate the value of property in the vicinity. 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.

2. The proposed home office shall not be used as a habitable bedroom.

Reason: To ensure an appropriate standard of development in the interest of residential amenity.

3. The roof of the proposed kitchen/dining room shall not be used as a balcony or amenity space.

Reason: To prevent overlooking of neighbouring properties.

4. The driveway entrance shall have a maximum width of 3.0 metres and shall not have outward opening gates.

Reason: To ensure an appropriate standard of development and in the interest of traffic safety.

5. Details of the external finishes of the proposed development, including a sample of the proposed brick material, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Proposals for a house numbering scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

7. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

8. Prior to commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide service connections to the public water supply and wastewater network.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

10. Site development and building works shall be carried out only between the hours of 0700 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.

11. 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.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 28th day of March 2025.