



An  
Coimisiún  
Pleanála

**Commission Order  
ABP-321953-25**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4422/24**

**Appeal** by Zarah McDonnell care of Killian O'Driscoll of 42 St. Domhnach's Well, Sutton, Dublin against the decision made on the 31<sup>st</sup> day of January 2025 by Dublin City Council to refuse permission.

**Proposed Development:** New vehicular entrance to facilitate off-street parking and EV charging with associated kerb dishing, all at 131 Brookwood Avenue, Artane, Dublin.

## **Decision**

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development, the pattern of vehicular entrances along Brookwood Avenue, the non-availability of on-street parking on the road, and the policies of the Dublin City Development Plan 2022-2028, particularly the technical requirements of Appendix 5, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not detract from the character of the area, and 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. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority.
  - (i) revised plans showing the proposed vehicular entrance not exceeding 2.5 metres in width,
  - (ii) the works required including tree protection measures, and
  - (iii) the works required and any associated costs to dish the kerb.

**Reason:** In the interest of traffic safety and the protection of the existing street tree on Brookwood Avenue.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. 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 amenities of property in the vicinity.

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 Coimisiún 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.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this *30<sup>th</sup>* day of *June* 2025.