

An
Coimisiún
Pleanála

Commission Order
ACP-323408-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2335/25

Appeal by Bryan Kennedy of 16 Orwell Park, Rathgar, Dublin against the decision made on the 1st day of August , 2025 by Dublin City Council to grant subject to conditions a permission to Andrew Cunningham care of Murphy Sheanon of Mounttown House, Monkstown, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of (1) A 40.65 square metre single storey garden room located with WC in the rear garden on the eastern boundary of the existing dwelling. (2) Addition of a pedestrian gate adjacent to the west side of the existing vehicular entrance. (3) All associated site works to facilitate the development at 18 Orwell Park, 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 Dublin City Development Plan 2022-2028, in particular the Z2 zoning objective, Policy BHA9 and Appendices 5 and 18, it is considered that the proposed development would protect the special interest and character of the residential conservation area and, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of neighbouring dwellings. 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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 surface water management.

3. (a) The pedestrian entrance shall be permanently separated from the vehicular entrance by a fixed post matching the existing railings. This post shall not be removable or demountable. The pedestrian and vehicular entrances shall not be combined into a single entrance unless otherwise permitted by a separate grant of planning permission.
- (b) No gates shall open outwards across the public footpath.
- (c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In the interest of pedestrian and vehicular safety.

4. Site development and building works shall be carried out between 0700 and 1900 hours on Mondays to Fridays and between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

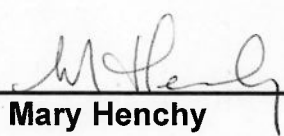
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5. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

6. The permitted garden room shall be used only for purposes ancillary to the use of the dwelling on the site and shall not be used for sleeping accommodation. It shall not be separated from the dwelling by lease or sale or used for any commercial purpose without a separate grant of planning permission.

Reason: In the interests of residential amenity.


Mary Henchy

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 1st day of December 2025