



An  
Bord  
Pleanála

**Board Direction**  
**PL29S.249278**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on December 5<sup>th</sup> 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the site size, configuration and orientation of the proposed development relative to the adjoining property at No 15 St. Martin's Park, and to the pattern of development in the area generally, it is considered that, subject to compliance with the conditions set out below (including the modification to the development), the proposed development would not seriously injure the residential amenities of adjoining property by reason of overbearing or overshadowing impact and would not be prejudicial to public health by reason of adverse impact on the structural stability of the party wall between the two properties, and would be acceptable in terms of pedestrian and traffic safety. The proposed development 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 lodged with the application except as may otherwise be required 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. The proposed development shall be amended as follows:-

The extension shall project beyond the existing rear building line of the house by no more than 4.1 metres, and the remaining part of the proposed development, including the new wall inside the side site boundary, incorporating the proposed barbeque area, and the projecting canopy, shall be omitted.

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

**Reason:** In the interest of protecting the residential amenities of adjoining property.

- 3 A structural stability survey of the party wall adjoining the property at No15 St. Martin's Park shall be carried out by a structural engineer or other similarly qualified and competent person at the developer's expense, prior to and following the construction of the proposed development, to the written satisfaction of the planning authority. Any damage to this wall shall be made good at the developer's expense.

**Reason:** In the interest of clarity, orderly development and the protection of the residential amenities of the adjoining property.

- 4 The roof area of the extension shall not be used as a balcony or terrace, and shall not be accessed other than for maintenance purposes.

**Reason:** In the interest of protecting the residential amenities of adjoining property.

- 5 The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

- 6 As PA condition 6.

**Reason:** In the interests of visual amenity and of pedestrian and traffic safety.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Provision shall be made to ensure that all run off from the roof of the proposed development is directed onto the subject site, and into the public surface water drains or soakaways, and not permitted to discharge onto adjoining property.

**Reason:** In the interest of public health, and to protect the residential amenities of adjoining property.

8. Details of the proposed boundary treatment including materials and finishes and for hard and soft landscaping within the perimeter of the site shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development. Rear garden boundary walls / fences shall not exceed 1.8 metres in height.

**Reason:** In the interest of the visual and residential amenities of the area.

9. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 to 1400 hours on Saturdays and not at all on Sundays and Public Holidays. Deviation from these times will 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 adjoining residential occupiers.

**Board Member**

**Date:** 6<sup>th</sup> December 2017

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Philip Jones