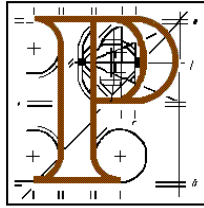


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D17B/0591**

An Bord Pleanála Reference Number: ABP-301239-18

**Appeal** by Edel and John Anglim care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 22<sup>nd</sup> day of February, 2018 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Demolition of existing single storey front/side extensions and the construction of two single storey bay windows and a pitched roof canopy to the front at ground floor; two-storey extension to side; part single part two-storey extension to rear; works will include new roof lights to front and rear, all associated site, drainage and landscaping works at 25 Marley Avenue, Rathfarnham, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and its zoning for residential purposes, the location of the site in an established residential area and to the nature, form, scale and design of the proposed development as amended, it is considered that, subject to compliance with the conditions set out below, the proposed development as amended would not seriously injure the residential or visual amenities of the area. 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 particulars lodged with the application on the 21<sup>st</sup> day of December 2017, as amended by the further plans and particulars received by An Bord Pleanála on the 21<sup>st</sup> day of March 2018, 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. (a) The cantilevered section of the first floor of the proposed extension to the side of the dwelling shall be omitted. Prior to commencement of development, revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority.
- (b) 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 interests of residential and visual amenity.

3. 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.

**Reason:** In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, 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 residential amenities of adjoining property in the vicinity.

5. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground throughout the site.

**Reason:** In the interests of visual and residential amenity.

6. 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 the 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.

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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**