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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D18A/0349**

**Appeal** by Gary O'Hare of 39 Eden Road Upper, Glenageary, County Dublin against the decision made on the 11<sup>th</sup> day of June, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Rocio Plazas and Daire Lawlor care of John McLaughlin Architects Limited of 5 Adelaide Street, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of boiler house to rear and lean-to construction at front of house and erection of a 27 square metre single-storey extension to rear of house and 7 square metre single-storey extension to front and side of house with new canopy at front door and widening of existing driveway to front of house accessing Eden Road Upper, along with all associated site works at 41 Eden Road Upper, Glenageary, County 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 condition 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 to the zoning of the site for residential purposes, to the location of the site in an established residential area and to the nature, form, scale and design of the proposed 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. 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, 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 footpath in front of the proposed widened vehicular entrance shall be dished and strengthened at the developer's own expense including any moving/adjustment of any water cocks/chamber covers. Details shall be submitted to, agreed in writing with, the planning authority prior to commencement of development.  
  
(b) The developer shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining property(s) as a result of the site construction works and repair any damage to the public road arising from carrying out the works.

**Reason:** In the interest of traffic and pedestrian safety.

3. A suitably qualified Structural Engineer shall be appointed by the developer to oversee the site set-up and construction of the proposed development and to ensure that the drainage pipe to the rear of the existing dwelling

shall be above the foundation loads and that new points of access are provided to the drainage line in the applicant's garden. Details showing compliance with this condition shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity and in order to comply with the objectives of the current development plan for the area.

5. 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 interest of visual amenity.

6. 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.

7. 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.

8. 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.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**

