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**Planning and Development Acts 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD18B/0499**

**Appeal** by Thomas Kelly of 14 Weirview, Lucan, County Dublin against the decision made on the 5<sup>th</sup> day of February, 2019 by South Dublin County Council to grant subject to conditions a permission to Patrick O'Leary care of Terry O'Riordan Planning and Design of 32 Glen Easton Way, Leixlip, County Kildare in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of a first floor extension to rear of house, four new roof windows and all associated site works at 13 Weir View, Lucan, County Dublin (Protected Structure).

**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.**

## **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 scale and proportions of the proposed extension relative to the existing dwelling on site, the area of the site and the established character and pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed extension would not seriously injure the amenities of the neighbouring dwellings by reason of overshadowing or overlooking or the visual amenities of the area, and would, therefore, be in accordance 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. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, a safety statement detailing how the Protected Structure and adjoining protected structures will be safeguarded during the proposed construction works.

**Reason:** To ensure proper architectural conservation.

3. Water supply and drainage arrangements, including the 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. All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble or other debris on to adjoining roads and adjoining properties during the course of the works.

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

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 as 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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**Paul Hyde**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**