

An  
Bord  
Pleanála

Board Order  
ABP-309510-21

---

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dun Laoghaire Rathdown County Council**

**Planning Register Reference Number: D20A/0878**

**Appeal** by Hillcourt Park Residents' Association care of Hilary Abrahamson of 18 Hillcourt Park, Glenageary, County Dublin against the decision made on the 27<sup>th</sup> day of January, 2021 by Dun Laoghaire Rathdown County Council to grant subject to conditions a permission to Neil McGroary and Robyn Espey care of Tony Mullen Architects of 10/11 Marine Terrace, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for retention of alterations to and completion of previously approved garden structure and associated site works to rear garden, all at 40 Hillcourt Road, 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 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.

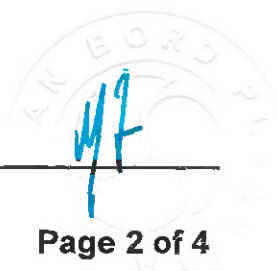
## Reasons and Considerations

Having regard to the site location, the planning history of the site, the provisions of the Dún Laoghaire Rathdown County Development Plan, 2016-2022, and to the nature, scale, form and design of the development proposed to be retained and completed, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and completed would not seriously injure the visual or residential amenities of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out, completed and retained 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 within three months of the date of this order and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.



2. Details of the materials, colours and textures of all the external finishes to the development proposed to be retained and completed shall be submitted to, and agreed in writing with, the planning authority prior to recommencement of development.

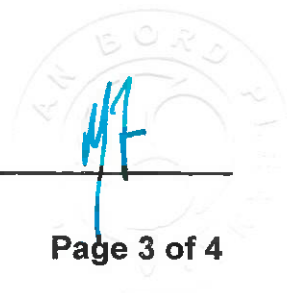
**Reason:** In the interest of visual amenity.

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.

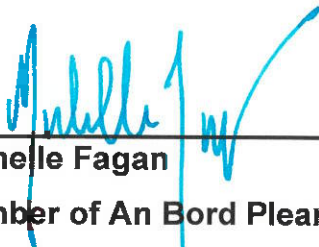
4. All service cables associated with the proposed development, (such as electrical, telecommunications and communal television), shall be located underground.

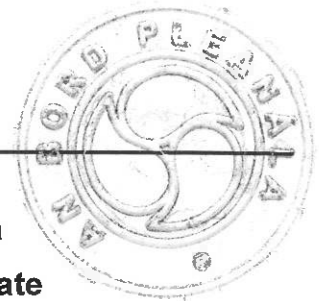
**Reason:** In the interest of visual and residential amenity.



5. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the garden structure shall be used solely for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for human habitation or for any business or commercial purpose, unless otherwise authorised by a prior grant of planning permission.

**Reason:** To protect the amenities of property in the vicinity and in the interest of clarity.

  
\_\_\_\_\_  
**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this  day of  2021.