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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3854/21**

**APPEAL** by Paul and Mary Creedon care of Edmund Morris of Greenbanks, Dundrum Road, Dublin against the decision made on the 22<sup>nd</sup> day of March, 2022 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of the existing workshop/shed and boundary wall to Woods Way and the construction of a two-storey two-bedroom terraced mews dwelling with integral garage with related site development works, all at Woods Way to the rear of 20 Mount Eden Road, Donnybrook, Dublin.

**Decision**

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to **AMEND** condition numbers 8 and 9 so that they shall be as follows for the reasons set out.

8. The following conditions of the Transportation Planning Division of the planning authority shall be complied with:
- (a) The vehicular entrance shall not have outward opening gates.
  - (b) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the proposed development, shall be at the developer's expense.
  - (c) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

**Reason:** In order to ensure a satisfactory standard of development.

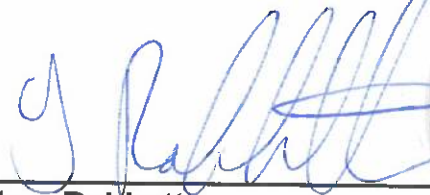
9. The following conditions of the Drainage Division of the planning authority shall be complied with:
- (a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).
  - (b) Records of public sewers are indicative and shall be verified on site.
  - (c) The drainage for the proposed development shall be designed on a completely separate foul and surface water system with a combined final connection discharging into Irish Water's combined sewer system.
  - (d) Where it is proposed to connect to an existing private drainage system, the developer shall comply with the relevant Building Regulations, shall obtain permission from all the owners of this private system and satisfy itself as to the adequacy of the private network. If permission cannot be obtained, a new connection to the public sewer shall be made.

- (e) The proposed development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of these shall be agreed in writing with the Drainage Division prior to commencement of development.
- (f) The developer shall ensure that an appropriate Flood Risk Assessment, in accordance with the Office of Public Works Guidelines and the Dublin City Development Plan Strategic Flood Risk Assessment, is carried out for the proposed development.
- (g) The outfall surface water manhole from the proposed development shall be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

**Reason:** In order to ensure a satisfactory standard of development.

## Reasons and Considerations

Having regard to the conditions attached to grants of planning permission in the area that did not contain similar restrictions as per condition 8(b) and 9(h), existing developments in the area which contain eave overhangs similar to that proposed development, and downpipes and gullies that already exist on the public land, the Board considered that conditions 8(b) and 9(h) were unnecessary and unwarranted.



**Tom Rabbette**

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

Dated this 17<sup>th</sup> day of Sept. 2023.