

An  
Bord  
Pleanála

## Board Order ABP-313769-22

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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D21A/1119**

**Appeal** by Frank and Emily Coffey and others care of David Jordan Architects of 56 Upper Albert Road, Glenageary, County Dublin against the decision made on the 16<sup>th</sup> day of May, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to David and Geraldine Lacy care of ACH Architects of 6 Fern Road, Sandymount Business Park, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a new end of terrace two-storey, two-bedroom dwelling to include off-street parking to rear, demolition of existing garage, raise existing side boundary wall at side to 2,100 millimetres and all ancillary site works, all at 28 Glengara Park, 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.**

## Reasons and Considerations

Having regard to the pattern of development in the area, to its residential zoning, as set out in the Dún Laoghaire-Rathdown County Development Plan 2022 - 2028, and to the standards for the development of corner/side gardens, as set out in Section 12.3.7.5 of that Plan, it is considered that, subject to compliance with the conditions set out below, the proposed house would not seriously injure the character of the area or the amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by the planning authority on the 2<sup>nd</sup> day of March, 2022 and on the 19<sup>th</sup> day of April, 2022, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and external boundary walls shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority, a Construction Method Statement for any works to the granite rubble stone wall that backs onto 'The Metals', in order to ensure the structural integrity of the existing boundary walls around the site.

**Reason:** In order to protect architectural character and in the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0900 and 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 amenities of property in the vicinity.

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

**Reason:** In the interests of visual and residential 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 and surface water management.

7. Prior to the commencement of development, the developer shall enter into a water and/or wastewater connection agreement(s) with Irish Water.

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

8. The developer shall comply with all requirements of the planning authority in relation to transport and traffic matters.

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

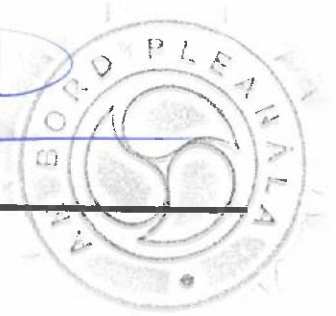
9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

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

Dated this *28<sup>th</sup>* day of *June* 2023