

COMHAIRLE CHONTAE ATHA CLIATH

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 -1991  
PLANNING REGISTER

REGISTER REFERENCE : 92B/0589

LOCATION : 4A Old Lucan Road, Palmerstown

PROPOSAL : Permission to build side and rear extension

APP. TYPE : Permission

DATE RECEIVED : 08.05.92

AGENT NAME & ADDRESS  
Camillus Kilpatrick,  
37 Moreen Court,  
Sandyford,  
Dublin 16

APPLICANT NAME & ADDRESS  
Liam Maguire  
4A Old Lucan Road Palmerstown  
Dublin 20

DECISION : to grant permission/to refuse permission

O.C.M.No. : P/ 3045 /92 Date : 06.07.92

GRANT :

O.C.M.No. : P/ /92 Date :

APPEAL NOTIFIED : 27/7/92 TYPE OF APPEAL : 3rd Party

APPEAL DECISION : Permission granted by An Bord Pleanala 27/11/92

MATERIAL CONTRAVENTION SECTION 26(3) :

ENFORCEMENT : | COMPENSATION : | PURCHASE NOTICE :

REVOCATION OR AMENDMENT :

E.I.S.REQUESTED : | E.I.S.RECEIVED : | E.I.S.APPEAL :

REGISTRAR

DATE

RECEIPT NO.

AN BORD PLEANÁLALOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1992County DublinPlanning Register Reference Number: 92B/589

**APPEAL** by F. Delamere care of Dara Estates Limited of Parkview House, 65 Crumlin Road, Dublin against the decision made on the 6th day of July, 1992 by the Council of the County of Dublin in relation to an application by Liam Maguire care of Barry Levins of 101 Anglesea Road, Donnybrook, Dublin for permission for development comprising side and rear extension at 4A Old Lucan Road, Palmerstown, County Dublin in accordance with plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for the conservatory and the first floor bedroom extension over the existing kitchen annex and to refuse permission for the two-storey extension to the side and rear):


**DECISION:** Pursuant to the Local Government - (Planning and Development) Acts, 1963 to 1992, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said conservatory and first floor bedroom extension over existing kitchen annex in accordance with the said plans and particulars and the said permission is hereby granted. Furthermore, permission is hereby refused for the said two-storey extension to the side and rear for the reason set out in the Second Schedule hereto.

FIRST SCHEDULE

The proposed bedroom and conservatory are a modest addition at the rear of an existing dwellinghouse. It is considered that they would not unduly affect the amenities of the adjoining dwellinghouse.

SECOND SCHEDULE

It is considered that the proposed two-storey extension would contravene materially condition number 15 attached to the permission granted by Dublin County Council under planning register reference number 88A/302 on the 12th day of May, 1988 and in view of the existence of the existing sewer the proposed development would create a health hazard and would, therefore, be contrary to the proper planning and development of the area.

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

Dated this 27th day of November, 1992.

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Camillus Kilpatrick,  
37 Moreen Court,  
Sandyford,  
Dublin 16.

P/3045/92  
92B/0589

6 July 1992

Re: Permission to build side and rear extension at 4A  
Lucan Road, Palmerstown for Liam Maguire.

Dear Sir,

With reference to the above proposal submitted by you on 8th May, 1992 you are hereby notified that the Planning Authority in pursuance to the powers conferred on it by the Local Government (Planning and Development) Acts, 1963-1983, has decided to Grant Permission for the proposed conservatory and the first floor bedroom extension over the existing kitchen annex to the rear at 4A Old Lucan Road, subject to the conditions specified in Column 1 of Schedule 1 hereto, the reason for the imposition of the condition being as set out in Column 2 of Schedule 1 and to Refuse Permission for the 2 storey extension to the side and rear at No. 4A Old Lucan Road as being contrary to the proper planning and development for the reasons set out in Schedule 2 herewith.

#### SCHEDULE 1

Column 1 - Conditions	Column 2 - Reasons for
<u>Conditions</u>	
1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.	1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.

Contd...../

2. That the entire premises be used as a single dwelling unit.

3. That all external finishes harmonise in colour and texture with the existing premises.

4. That details of the rear elevation and in particular the roof profile at the proposed development to be submitted for the written agreement of the Planning Authority prior to the commencement of development on site.

2. To prevent unauthorised development.

3. In the interest of visual amenity.

4. In the interest of the proper planning and development of the area.

NOTE: Applicant is advised that in the event of encroachment or oversailing of the adjoining property, the consent of the adjoining property owner is required.

## SCHEDULE 2

1. The proposed development would contravene materially a condition of a previous permission i.e condition No. 15 of Order No. P/1422/88 dated 12/5/88, Reg. Ref. 88A/302 which states "That the access passageway over:

(a) the proposed surface water pipe along the western boundary of the site;

(b) the existing surface water drain to the rear of the site be hard surfaced in a concrete screen not less than 50mm. in thickness and shall be accessible at all times to the Planning Authority.

REASON: To ensure that maintenance access to the drains can be gained at all times by the Planning Authority."

In view of the existence of the existing sewer the proposed development would create a health hazard and would not be in accordance with the proper planning and development of the area.

Yours faithfully,

*J. de Baintireil*  
for Principal Officer.