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Reg. Reference:SD22B/0482Application Date:03-Nov-2022Submission Type:AdditionalRegistration Date:16-Feb-2023

Information

Correspondence Name and Address: Darcon Architectural, c/o Aidan Coney 23, Tobin

Park, Cookstown, Co. Tyrone

Proposed Development: 2 storey extension to side of dwelling and 2 storey

extension to rear of dwelling. Single storey garage in rear garden. Internal alterations to be carried out.

Location: 100, Saint Maelruan's Park, Dublin 24

Applicant Name:Aidan BrownApplication Type:Permission

(NM)

Description of Site and Surroundings:

Site Area

Not Stated.

Site Description

The property is located on Saint Maelruans Park off the R113 within close proximity to the N81 and Sean Walsh Memorial Park to the north. The subject property is a two-storey end of terrace dwelling with a pitched roof. The area is characterized by units of similar architectural style with a relatively uniform building line.

Proposal:

The development will consist of:

- 2 storey extension to side of dwelling.
- 2 storey extension to rear of dwelling.
- Single storey garage in rear garden.
- Total area of works 61sqm.

Zoning:

The site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity'.

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Consultations:

Irish Water - No report received at time of writing.

Water Services – No report received at time of writing.

Roads Department – No objections.

SEA Sensitivity Screening

No overlap with relevant layers.

Submissions/Observations/Representations

- 2 submissions were received which can be summarised as follows:
- 4 windows on the proposed side elevation overlooking No. 99
- Two first floor windows overlooking No.99 will also illuminate the kitchen/dining room through a velux window
- The double height rear extension will drastically reduce the amount of natural light for No.99 which will have unacceptable knock on effects.
- The applicant is looking to build their double height rear extension up to the boundary with the adjoining dwelling which is out of character
- The development would have a negative effect on the quality of life of occupant at No.99 and on the property values.
- Some natural light blocked into No. 98.

The submissions received have been reflected in this report.

Relevant Planning History

Subject Property:

SD08B/0478 – **Permission Granted** for single storey extension to side and rear of existing dwelling.

Adjacent sites:

SD13B/0083 - 101 St. Maelruans Park, Tallaght, Dublin 24 – **Permission Granted** for front porch and replacement of two ground floor windows at front of house with one single window; two storey extension at side and rear and single storey extension at rear.

SD06B/0922 - 175, Saint Maelruan's Park, Dublin 24 – **Permission Granted** for construction of a 2 storey extension to side of existing house incorporating a garage at ground floor level with a canopy at front, a first floor single storey extension over with a single storey extension to rear of the existing rear extension and all ancillary site works.

Relevant Enforcement History

None.

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Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

6.8.2 Residential Extensions

Policy H14: Residential Extensions Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Policy GI1: Overarching

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.5.8 Residential Consolidation

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Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

Relevant Government Guidelines

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Assessment

The main issues for assessment are

- Zoning and Council Policy
- Planning Note
- Residential and Visual Amenity
- Drainage
- Roads
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising of a 2 storey side extension and two storey rear extension with a detached rear store would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan **2022-2028** and the House Extension Design Guide.

Planning Note

The applicant has not included the front extension in the advertisements for the proposed development including canopy over the northernmost part of the eastern elevation. This is not considered so significant as to require readvertisement on this occasion. The applicant has also not indicated the site area as part of the application. Furthermore, the existing and proposed site layout plans are not submitted in the scale as indicated. The applicant should resubmit the site layout plans in the correct scale and confirm the area of the site by **Additional Information**.

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Residential and Visual Amenity

2 Storey Side Extension

The proposed two storey side extension would extend the width of the dwelling by approximately 3.3m leaving a gap to the adjacent property to the south boundary wall of approximately 1m. There are no windows on the southern gable elevation of the side extension which is appropriate. It should be noted that part of the side extension is a single storey flat roofed development with a parapet with a ridge height of approximately 3.1m. The proposed side extension follows the ridgeline of the existing roof which is visually appropriate and would not injure the residential amenities of the area. The front extension extends an average width of approximately 6m with a depth of 1m and turns to a canopy for a width of 3m roughly all with a monopitched roof which is similar to other developments in the vicinity. It should be noted that this development requires the demolition of the existing half hipped rear extension of 16sqm. **Overall, the proposed side and front extensions are acceptable subject to conditions.**

2 Storey Rear Extension

The proposed rear extension extends a depth of 5.4m from the rear wall of the existing dwelling with a stated ridge height of 6.55m which sits below the ridge of the existing roof at a perpendicular angle. The southern elevation of the proposed rear extension has two windows at ground floor level which are acceptable. There are a further two windows at first floor level, one of which leads on to a landing area which should be obscured and a further one that leads on to a bedroom which should be removed as this would lead to an unacceptable level of overlooking of the neighbouring dwelling to the south and there is sufficient natural light from the further two windows on the western elevation and a drawing demonstrating this should be sought by **Additional Information**.

The proposed rear extension extends almost to the boundary of the attached dwelling to the north and given the ridge height, would result in an unacceptable level of enclosure for the first floor rooms for the neighbouring unit. There would also be a loss of natural light to these rooms and the applicant is requested to demonstrate the potential affects that this development would have on the residential amenities of the neighbouring dwellings via a sunlight/daylight analysis which should be sought by **Additional Information.** The applicant should give attention to the South Dublin County Council House Extension Design Guide and consider reducing the depth of the 1st floor of the rear extension to mitigate the potential for overshadowing with the potential for extending out over the single storey side extension. **Revised drawings demonstrating any proposed changes should be sought by Additional Information.**

Single Storey Garage in Rear

The proposed rear garage and store extends the entire width of the rear garden and would have a ridge height of approximately 4.5m which is excessive in the site context and the applicant should reduce this to a maximum of 3.5m and this should be demonstrated through revised drawings sought by **Additional Information**.

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The area totals over 60sqm and a condition restricting the connection of water should be attached in the event of a grant of permission to discourage this unit from being used as a separate habitable dwelling.

Drainage

No report was received from Irish Water or Surface Water Drainage at the time of writing. Notwithstanding this, there a number of issues that require Additional Information. It appears from the drawings provided that the development would be built within an unacceptable distance of Irish Water Infrastructure (3m) and the applicant should be requested to confirm the distances and to submit a drawing showing the setback distance from the foundation of proposed development to the adjacent Irish Water Infrastructure via Additional Information. Furthermore, the applicant has not indicated any Sustainable Urban Drainage Systems for the proposed development which should be sought by Additional Information also.

Roads

The Roads Department have no objections which is appropriate as there does not appear to be changes to the access arrangements as a result of the proposed development.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site does not appear to be located within a Primary or Secondary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028) and given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of the demolition of an existing rear extension, construction of a part two storey and part single storey side extension, single storey front extension and a two storey rear extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

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Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Development Contributions

Planning Reference Number	SD22B/0482
Summary of permission granted &	Residential Extension 61sqm.
relevant notes:	Demolition of 16sqm existing rear
	extension.
Are any exemptions applicable?	Yes
If yes, please specify:	The first 40 square metres of an
	extension to a house (including
	garages and conversion of attic to
	habitable areas) shall be exempt
	(subsequent extensions or
	extensions above 40 square metres
	to be charged at the residential rate
	per square metre). This exemption
	will not apply to development for
	which retention permission is
	sought.
Is development commercial or	Residential
residential?	
Standard rate applicable to	119.10
development:	
% reduction to rate, if applicable	0
(0% if N/A)	
Rate applicable	€119.10
Area of Development (m2)	61
Amount of Floor area, if any, exempt	40
(m2)	
Total area to which development	21
contribution applies (m2)	
Total development contribution due	€2,501.10

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SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 61sqm

Land Type: Urban Consolidation.

Site Area: TBC.

Conclusion

The proposed development is largely consistent with the policies and provisions of the South Dublin County Development Plan 2022 - 2028. Notwithstanding this, there are issues as highlighted throughout the report which should be addressed by **Additional Information**.

Recommendation

Further Information

Further Information Requested on 14/12/2022. Further Information Received on 15/02/2023.

Assessment

Item 1:

The Planning Authority maintains concerns in relation to some of the design elements proposed by the applicant. Accordingly, the applicant is requested to make design alterations and submit revised plans including elevations, site plan, contiguous elevations and floor plans demonstrating the following: a) Reduce the depth of the 1st floor to a maximum of 3 meters (when measured from the rear of the existing dwelling) so as to reduce the unwanted sense of enclosure for the occupant of attached dwelling (Number 99). b) Remove the side facing windows at first floor of the rear extension . c) Reduce the ridge height of the rear garage to maximum of 3.5m.

In response to Item 1, the applicant submitted the following:

Cover Letter from Moda Architects (15/02/2023) with the following submission:

- 1. Revised plan and elevation drawings, revised site layout. Revised drainage layout (SUDS).
- 2. Public drainage map indicating 225mm mains sewer to rear of dwelling.

We note the planners request to reduce the first floor extension to a maximum of 3m from rear of property. We believe this dimension to be too restrictive to accommodate a reasonable sized double bedroom with en-suite. We have proposed an internal dimension of 3m which will allow for an improved spatial arrangement. To offset this modest increased the rear gable wall (previously proposed) is removed with a revised hipped roof design. This will reduce overall mass and volume to the rear extension and reduce significantly the overbearing impact to the adjoining neighbour. We believe this to be a reasonable and positive compromise.

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Submitted further design revisions to garage (revised plan, reduced height and revised roof profile). Improved front and rear elevation with selected part brick facing to reduce the extent of pebbledash/render overall.

Submitted front elevation with revision to reflect omission of full width lean-to roof. A more contemporary design is proposed to be more sympathetic with the 1950's house style.

Planners Response:

<u>1a)</u> Reduce depth of first floor to a maximum of 3 m: Design solution submitted is **not** acceptable. The applicant shall not extend the depth of the first floor rear extension element from the existing house to more than 3m. In the event of grant of planning permission, a condition shall be attached that prior to development, that the applicant shall provide plans/elevations reflecting a maximum depth of 3m for the first floor extension. This is in the interest of residential amenity and to minimise the 'tunnel effect' impact on the neighbouring property.

The revised hipped roof design is welcomed and should be incorporated into the revised plans and elevations.

- <u>1b)</u> Remove the side facing windows at first floor of the rear extension: As per drawings submitted with further information, all side facing windows have been omitted. **This is acceptable.**
- <u>1c)</u> Reduce ridge height of garage to a maximum of 3.5m: This has been reduced to 3.1m height, which is **acceptable**.

Item 2:

The Planning Authority has concerns regarding the proximity of the works in relation to existing Irish Water Infrastructure. The applicant should therefore confirm the distances to Irish Water Infrastructure (min distance of 3m) and to submit a drawing showing the setback distance from the foundations of proposed development to the adjacent Irish Water Infrastructure.

In response to item 2 an Irish Water map was submitted along with drawings 810-FI-05, 810-FI-03 & 810-FI-04. A public foul drain runs through the rear garden, this drain has a minimum separation distance of approx. 9.9 m from the rear extension and a minimum separation distance of approx.4.97m from the rear garage structure. **This is acceptable.**

Item 3:

The applicant should submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, for the written agreement of the Planning Authority. The applicant should include SuDS (Sustainable urban

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Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens
- Soakaways
- Planter boxes with overflow connection to the public surface water sewer
- Grasscrete
- Green Roofs,
- Swales
- Permeable Paving
- Planter Boxes water butts
- Other such SuDS

The applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.

In response to item 3 - revised drainage, all surface water contained and managed on site. Rainwater harvester/soakaway gravel pit/French drain. All foul wastewater to connect to existing public mains.

Planners Response:

Submitted drawings 810-FI-03, 810-FI-01 & 810-FI-04 denoting proposed SuDS features – permeable paving & rainwater harvester. **This is acceptable.**

Item 4:

The site plan provided is not to scale and the applicant should submit a new site plan that is to scale. Furthermore, the applicant has not confirmed the site area, and this should be confirmed also.

In response to item 4 revised site plan 810-FI-05 submitted to scale. This is acceptable.

However, the applicant has not submitted a confirmation of the existing and proposed site area. **This is not acceptable**. In the event of the grant of permission it shall be a **condition** that the applicant submit a confirmation/plans of the existing and proposed site area prior to development.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022 – 2028 and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.

The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 16 Fedruary 2023, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

- (c) Drainage Irish Water.
- (i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
- (ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of

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noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

3. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

- (a) Plan and elevation scaled drawings showing a reduction of the depth of the first floor rear extension to a maximum depth of 3 metres externally.
- (b) A revised roof plan illustrating the redesigned hipped roof of the two storey rear extension.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

- 4. The proposed garage/garden room shall not be used for habitable purposes and shall only be used ancillary to the main dwelling.
 - REASON: In the interest of proper planning and sustainable development of the area.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2, 501.10 (Two thousand five hundred and one euro and ten cents), in respect of public infrastructure and facilities benefiting development within 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via https://maproadroadworkslicensing.ie/MRL/ for a licence from the Local Authority to carry out those works.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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REG. REF. SD22B/0482 LOCATION: 100, Saint Maelruan's Park, Dublin 24

Deirdre Mc Gennis, **Assistant Planner**

Dendre Mc Sis

ORDER:

A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: <u>1</u>5/03/2023

Senior Executive Planner