



An
Bord
Pleanála

Board Order
PL 29S.248289

Planning and Development Acts 2000 to 2016

Planning Authority: Dublin City Council

Planning Register Reference Number: 2057/17

Appeal by David and Nicola Quirke of 33 Rathdown Park, Terenure, Dublin against the decision made on the 9th day of March, 2017 by Dublin City Council to grant subject to conditions a permission to John Doody care of Andy Muldowney of Clara Vale, Rathdrum, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new single storey, pitched roof, two-bedroom dwelling, on a site along Templeogue Road, adjacent to the rear of 35 Rathdown Park, and west of number 40 Templeogue Road, Terenure, Dublin, along with a new gated vehicular and pedestrian entrance off Templeogue Road and all associated site services and landscaping. All along Templeogue Road, adjacent to the rear of 35 Rathdown Park, and west of number 40 Templeogue Road, Terenure, 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 size and configuration and to the site layout, footprint, scale and height of the proposed dwelling, it is considered that, subject to compliance with the conditions set out below, the proposed development would be satisfactorily integrated into the established pattern and character of development in the area, would not seriously injure the residential amenities of adjoining and surrounding residential properties by reason of adverse visual impact, overdevelopment, overlooking or overshadowing, would provide for a satisfactory standard of residential development and amenity for the future occupants and would be acceptable in terms of pedestrian and traffic safety. 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 and completed 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 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 proposed boundary treatment including materials and finishes and for hard and soft landscaping within the perimeter of the site shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of the visual and residential amenities of the area.

3. Details of the colours and textures of all the external finishes to the proposed development, inclusive of samples shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The roof colour (including ridge tiles) shall be blue black or slate grey in colour only.

Reason: In the interests of the visual and residential amenities of the area.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Part 1 of Schedule 2 of those Regulations shall take place within the curtilage of the house or within the rear garden area without a prior grant of planning permission.

Reason: In the interest of the residential amenities of the area.

5. 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.

6. Site development and building works shall be carried out between the hours of 08.00 and 19.00 Mondays to Fridays, inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays or 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 residential amenities of property in the vicinity.

7. A drop kerb shall be provided along the entirety of the site frontage in accordance with the requirements of the planning authority at the developer's own expense.

Reason: In the interests of public safety and amenity.

