



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0138

APPEAL by Garocal Limited care of Patrick M. Kerr, Architects of 39A Maynooth Road, Celbridge, County Kildare against the decision made on the 18th day of June, 2018 by South Dublin County Council to refuse permission.

Proposed Development

Two two-storey, detached three bedroom (plus study) dwelling houses, with two off street parking spaces, relocation of two existing parking spaces from Barrack Court, adjacent to the site, onto the site, new access roadway, footpath and all associated ancillary works including drainage, boundary treatment, landscaping at Lands to rear of The Copper Kettle Coffee Shop, Main Street, Rathcoole, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

1. The proposed development constitutes over-development on a restricted site, which would result in over-shadowing and overlooking of adjoining residential property, which would seriously injure the amenities or depreciate the value of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed relocation of two parking spaces within the Barrack Court residential development would represent a loss of amenity for residents entitled to use those spaces. The vehicular manoeuvres required of motorists using the relocated spaces would necessitate excessive reversing which would constitute a traffic hazard. The positioning of the relocated parking spaces would seriously injure the visual amenities of future residents of the new houses and the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and development of the area.

3. The Board is not satisfied on the basis of the submissions made in connection with the planning application and the appeal, that the applicant has established that the ground is suitable for disposal of surface water within rear garden soakways. The proposed development would give rise to the risk of flooding of the site or adjoining sites which would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.