



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18B/0535

Appeal by Siobhan Perdisatt of 49 Saint Patrick's Cottages, Rathfarnham, Dublin against the decision made on the 16th day of September, 2019 by South Dublin County Council to grant subject to conditions a permission to Killian Casey and Emer Duffy care of Ronan Mac Diarmada and Associates Limited of 5 Tootenhill, Rathcoole, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a vehicular entrance to the curtilage of a Protected Structure to accommodate three number car spaces on a paved surface that shall abutt directly onto the public realm, provision of a new pedestrian entrance and path to the back of the spaces, to access the period house directly, including the erection of a two metre high boundary metal fence and one metre hedge screening along the boundary facing Saint Patricks Cottages replacing the existing chainlink fence at The Millhouse, Whitechurch Road, Rathfarnham, 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 residential zoning objective for the area and the pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not have an adverse impact on the character or setting of any protected structure or on the character of the Whitechurch Road and Taylors Lane Cottages Architectural Conservation Area, would not be prejudicial to public health 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, as amended by the further plans and particulars submitted on the 20th day of August, 2019, 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. The following shall be complied with in the development:
 - (a) The maximum width of the permitted vehicular access shall be 5.2 metres.
 - (b) The extent of the permitted off-street parking area shall not exceed 5.2 metres in width by 6 metres in length and shall be used for the parking of not more than two cars.
 - (c) Prior to the commencement of development, a revised Landscape Masterplan drawing to a scale of 1:100 shall be submitted for the written agreement of the planning authority. This revised drawing shall indicate the site to the correct scale as per the dimensions specified above and those indicated on the Landscape Sections and Details drawing number 02 received by the planning authority on the 20th day of August, 2019.

Reason: To clarify the extent of the permission.

3. The following shall be complied with in the development:
- (a) The permitted parking spaces shall only be used in connection with the residential use of the site and shall not be separated from the existing dwelling by sale or lease save with a prior grant of planning permission.
 - (b) Gates erected on the site shall not extend beyond the site boundary and shall not be capable of extending across any footpath, cycle path or public area.
 - (c) Finishes to the permitted metal boundary shall comprise a green or black painted or factory finish.

Reason: In the interests of visual amenity and protection of the character and setting of the protected structure on site and the Whitechurch Road and Taylors Lane Cottages Architectural Conservation Area.

4. Drainage arrangements, including the 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.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 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 residential amenities of property in the vicinity.

Maria FitzGerald

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

Dated this day of 2020.