



---

**Planning and Development Acts 2000 to 2020**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD20A/0191**

**Appeal** by Rachel Coleman care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 22<sup>nd</sup> day of September, 2020 by South Dublin County Council to refuse permission to Rachel Coleman for the proposed development.

**Proposed Development:** Demolish existing garage and outhouse and replace with a two-storey, two-bedroom house of 100.5 square metres; existing access point will be blocked up and a new shared vehicular access will be created to give revised access to three off-street parking spaces for the existing and new house; development will include a rear garden, associated drainage, landscaping and associated site development works, all at 124 Templeville Drive, Templeogue, 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 provisions of the South Dublin County Development Plan 2016 - 2022, to the nature, scale and layout of the proposed development and to the pattern of development in the area, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area 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 in the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied, having regard to the location of the site to the side of an existing dwelling that the proposed development, and by virtue of its similar scale, roof profile and layout, would not seriously injure the residential amenities of property in the area by reason of loss of light and overshadowing and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Furthermore, having regard to the site and to the pattern of development in the surrounding neighbourhood including the dwelling to the immediate east, the Board considered that the proposed development, by reason of its scale, design and layout would not constitute overdevelopment of the site and would provide an acceptable quantity and quality of private amenity space and would not injure the character of the area. The proposed development would not seriously injure the amenities of future occupants and 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 materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Water supply and 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.

4. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

**Reason:** In the interest of public health.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 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.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in 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 made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

---

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

**Dated this            day of            2021.**