



Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20B/0332

Appeal by Darren Kane of 20 Elm Walk, Rathcoole, County Dublin against the decision made on the 2nd day of November, 2020 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: A single storey extension to the front and side, new external render finish to the entire house, the reduction in size of two number existing windows at the front and one number existing window at the rear, and all associated site works at 20 Elm Walk, Rathcoole, Dublin.

Decision

Having regard to the nature of the conditions, the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reasons therefor, AMEND conditions numbers 3 and 4 so that they shall be as follows for the reasons set out.

3. Surface water from the proposed development shall be discharged to a soakaway(s) within the curtilage of the site in accordance with the provisions of BRE Digest 365 – Soakaway design. Should the site not be capable of accommodating the surface water generated from the proposed development in accordance with BRE Digest 365, an alternative method(s) of surface water disposal shall be agreed in writing between the developer and the planning authority prior to commencement of development. Should an agreement not be reached, the matter shall be referred to An Bord Pleanála for determination.

Reason: To ensure adequate servicing of the development.

4.
 - (a) All relevant works are to comply with the Irish Water Standard Details for Water Infrastructure.
 - (b) All relevant works are to comply with the Irish Water Standard Details for Waste Water Infrastructure.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

Reasons and Considerations

Having regard to the presence of a two metres high side boundary wall, the inclusion of an eastern elevation gable kitchen window would have negligible impact on the passive surveillance of the adjoining laneway. The planning authority's condition number 2 requiring a kitchen gable window is, therefore, not warranted.

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.



Michelle Fagan

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



Dated this 29th day of April 2021