

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0199

Appeal by Paul Baird of 1 Manor Avenue, Terenure, Dublin and by Tom Hayes care of Ryan W. Kennihan Architects of 30 Mountjoy Square, Dublin against the decision made on the 30th day of November, 2020 by South Dublin County Council to grant subject to conditions a permission to the said Tom Hayes in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of an existing boundary wall onto 'Manor Avenue' and the construction of a new detached two storey, three bedroom dwelling, along with pedestrian and vehicular entrance with two off-street car parking spaces with access via 'Manor Avenue' and associated hard and soft landscaping at a site to Manor Avenue to the rear of 6 College Drive, 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 nature, extent and design of the development proposed, to the general character and pattern of development in the area and to the provisions of the South Dublin County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of property in the vicinity and would not be out of character with the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

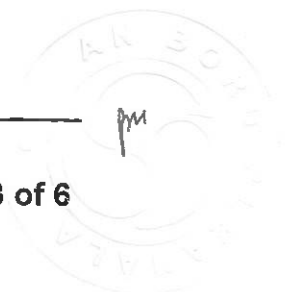


Conditions

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. Revised drawings shall be submitted to the planning authority with improvements to Manor Avenue and the junction with Wainsfort Grove showing:
 - (a) The improvements including designs for junctions, sight distances, shared surfaces, footpaths and kerbs, if required, and all in accordance with the detailed requirements of the planning authority for such works, and shall comply in all respects with the provisions of the 'Design Manual for Urban Roads and Streets' and the 'National Cycle Manual'.
 - (b) details of public lighting scheme for the length of Manor Avenue shall be submitted to and agreed with South Dublin County Lighting Department.



Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian and traffic safety, and in order to comply with national policy in this regard.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwelling house without a prior grant of planning permission.

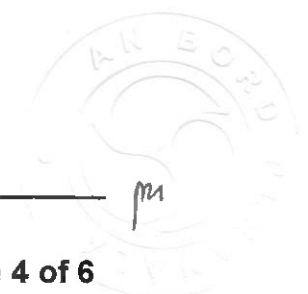
Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling.

4. 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.

5. Drainage arrangements including the attenuation of surface water shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public health.



6. Prior to commencement of development, the developer shall enter into a water and/or wastewater connection agreement with Irish Water.

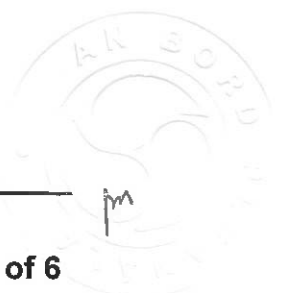
Reason: In the interest of public health.

7. Site development and building works shall be carried out between the hours of 0700 to 1800 hours Mondays to Friday inclusive, and between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviations 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.

8. Any damage to the public road or footpath during the course of the construction works shall be repaired at the developer's expense. Details of the nature and extent of repairs shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.



9. 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 *19th* day of *MAY* 2021

