

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22A/0062**

**Appeal** by John Dunne care of Stephen Mason Architectural and Planning Services of 2 Clonkeefy, Castlerahan, Ballyjamesduff, County Cavan against the decision made on the 19<sup>th</sup> day of April, 2022 by South Dublin County Council to refuse permission for the proposed development.

**Proposed Development:** (1) Demolition of the existing shed/garage building to the rear of the existing dwelling, (2) construction of two number two-bedroom, three-person detached two-storey pitched roof mews dwellings with a single storey flat roof rear projection, located to the rear of the existing dwelling and fronting onto Brideswell Lane, (3) the vehicular entrance is off Brideswell Lane, (4) connection to all public services and (5) all necessary ancillary site development works to facilitate the development, all at 104 Boot Road, Clondalkin, Dublin.

## Decision

**GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the provisions of the South Dublin County Development Plan 2022-2028, including the 'RES' zoning objective for the site, the specific characteristics of the site, the pattern of development in the surrounding area and the character and dimensions of Bridewell Lane, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not endanger public safety by reason of a traffic hazard and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall comply with the plans and particulars lodged with the application on the 21<sup>st</sup> day of February, 2022, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The developer shall provide for the demolition of the existing boundary wall (eastern wall indicated as 3600 millimetres high on drawing number 441/104) to Brideswell Lane in its entirety. Details of all boundary and surface treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity and to facilitate independent vehicular access and egress to each of the proposed dwellings.

3. The glazing within the first-floor level window (that serving the stairs) on the northern elevation of house number 2 shall be manufactured opaque and permanently maintained.

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

4. Details, including samples, of the materials, colours and textures of all the external finishes to the proposed development 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 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.

6. Prior to commencement of development, the developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann.

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

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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. 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 the 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.

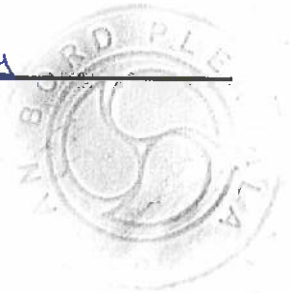
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

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



Dated this *21<sup>st</sup>* day of *July*, 2023.