

An  
Bord  
Pleanála

## Board Order ABP 314837-22

**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22B/0346**

**Appeal** by Pat and Therese Monks care of Niall Jones and Associates Planning Consultants of Somerton, 15 Butterfield Crescent, Rathfarnham, Dublin against the decision made on the 21<sup>st</sup> day of September, 2022 by South Dublin County Council in relation to an application for permission for development comprising retention for previously constructed detached single storey pitched roof garden/games room structure across end of rear garden (77.70 square metres) with ridge height at 3.380 metres above ground level; retention for single storey pitched roof open plan extension to rear of existing house (39.83 square metres) with ridge height at 3.955 metres above ground level complete with new Velux rooflight over; internal alterations and associated site works, all at 5 Willington Court, Templeogue, Dublin. In accordance with the plans and particulars lodged with the said Council (which decision was to grant permission subject to conditions for the retention of the single storey pitched roof open plan extension to rear of existing house (39.83 square metres) with ridge height at 3.955 metres above ground level complete with new Velux rooflight over; internal alterations and associated site works and to refuse permission for retention of the previously constructed detached single storey pitched roof garden/games room structure across end of rear garden (77.70 square metres with ridge height at 3.380 metres above ground level).

## 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.**

## Reasons and Considerations

Having regard to the design, layout and scale of the development proposed for retention and the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the visual amenities, character or built heritage of the area or residential amenity of property in the vicinity. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained 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 within three months from the date of this Order and the development shall be retained and completed in accordance with the agreed particulars.

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

2. The outdoor terrace and associated boundary fencing to the rear of the garden room shall be removed and reinstated to a natural status (free from any structures or hard landscaping) with external access from the northern elevation of the garden room removed.

**Reason:** In the interest of complying with policy set out under GI3 Objective 3 and biodiversity of the South Dublin County Development Plan 2022-2028.

3. The garden/games room structure proposed for retention shall be used for purposes ancillary to the enjoyment of the existing dwelling and shall not be used as a self-contained dwelling unit or for any commercial or industrial purposes.

**Reason:** In the interest of orderly development.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 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 amenities of property in the vicinity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. No surface water shall be allowed to discharge onto the public road or adjoining properties.

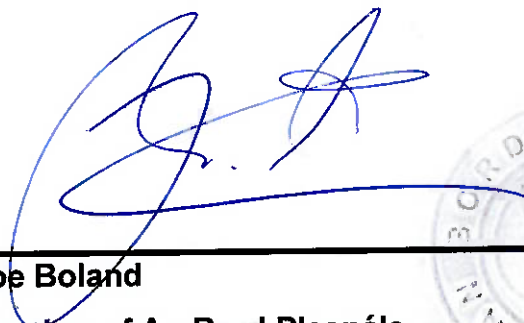
**Reason:** In the interest of orderly development and public health.

6. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

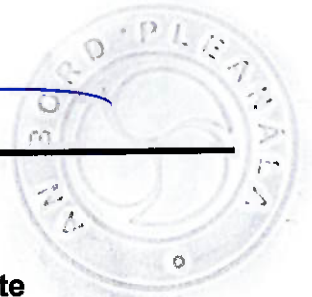
7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months from the date of this Order 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.



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



Dated this 24<sup>TH</sup> day of October 2023