



An
Bord
Pleanála

Board Order ABP-319145-24

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23A/0109

Appeal by Orlaigh Gill care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 2nd day of February, 2024 by South Dublin County Council to refuse permission.

Proposed Development: Erection of a two-storey dwelling which would contain a floorspace of 118.3 square metres on a strip of land which is located to the side and would provide a combined kitchen/dining room, a sitting room and four bedrooms, along with ancillary bathroom, storage, utility and hallway/corridor accommodation. The application also entails the provision of a rear garden, two parking spaces in the front part of the site and all site works, including connections to the public mains water supply, storm water sewer and foul effluent sewer and boundary treatment, along with all ancillary site works at 36 Ash Park Court, Lucan, County Dublin as revised by the further public notices received by the planning authority on the 9th day of January 2024.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars for the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the residential zoning objective, the accessible location of the development site serviced by public transport and the urban consolidation policy framework provided by the South Dublin County Development Plan 2022-2028, including strategic local policy objective CS7 SLOI, and national and regional policy objectives and guidelines, including the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), it is considered that, subject to compliance with the conditions set out below, the proposed development would provide a reasonable level of accommodation on site, would be consistent with the established pattern of development in the area, would not have a significant adverse impact on the residential amenities of adjoining properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 21st day of December, 2023 and the further plans and particulars received by An Bord Pleanála on the 27th day of February, 2024, 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. Details 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.

3. 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.

Reason: In the interest of public health and surface water management.

4. The developer shall comply with the following requirements:
 - (a) The relocation of the fire hydrant, as shown on drawing number P221000229-200 submitted in response to additional information on the 21st day of December, 2023 shall be agreed with Uisce Éireann.
 - (b) Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

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



5. The developer shall provide one dedicated car parking space to the front of the house, as shown on Pinnacle Consulting Engineers drawing number P221000229-PIN-XX-DR-D-OOOI -Revision SIP05A, received by An Bord Pleanála on the 27th day of February 2024, which shall be located within the curtilage of the house.

Reason: In the interest of orderly development.

6. Site development and building works shall be carried out only between the hours of 0800 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 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.



Liam McGree

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

Dated this 25 day of SEPTEMBER 2024