



An
Bord
Pleanála

Board Order ABP-320104-24

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD23A/0258

Appeal by Dean Graham care of PDC Architectural of Churchfields, Kentstown, Navan, County Meath against the decision made on the 10th day of June, 2024 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Construction of a two-storey, two bedroom, detached dwelling to side garden of existing dwelling; site works proposed including modification to vehicular entrance and boundary walls with landscaping and associated site works at 16 Greenfort Crescent, Clondalkin, Dublin as revised by further public notices received by the planning authority on the 28th day of March, 2024.

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 zoning objective for the site which is “to protect and/or improve residential amenity”, to the nature and scale of the proposed development, and to the provisions of the South Dublin County Development Plan 2022-2028 and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), it is considered that subject to compliance with the conditions set out below, the proposed development would respect the character and setting of the area, would not seriously injure the residential amenities of the area or of property in the vicinity, would provide a suitable level of amenity for future occupants, would be acceptable in terms of road safety and would not be likely to have a detrimental impact in terms of drainage or green infrastructure. 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, as amended by the further plans and particulars received by the planning authority on the 6th day of March, 2024 and the 17th day of May, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) Vehicular access to the existing dwelling shall be as shown on the drawing titled 'Proposed Site Layout Plan' (drawing number PA-000006)

submitted to the planning authority with clarification of further information on the 17th day of May 2024.

- (b) There shall be no separate or shared vehicular access for the new two-bedroom dwelling, other than to the rear and the vehicular access for the new dwelling shall only be located at the end of the rear garden as shown on the drawing titled 'Proposed Site Layout Plan' (drawing number PA-000006) submitted to the planning authority with clarification of further information on the 17th day of May 2024.
- (c) The site shall be internally sub-divided by the side boundaries shown on the drawing 'New Dwelling to side of existing Dwelling' (drawing number PA-000006 submitted to the planning authority on 17th day of May 2024) between the existing dwelling and new two-bedroom dwelling.
- (d) The existing side vehicular access shall be closed permanently by the provision of a boundary wall in its place as shown on the drawing 'New Dwelling to side of existing Dwelling' (drawing number PA-000006 submitted to the planning authority on the 17th day of May 2024) except insofar as provision for a pedestrian entrance is required for entry to the new dwelling and to the front garden.

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 traffic safety, clarity and visual amenity.

- 3. 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. Boundary walls shall match the new dwelling or where concrete block is used shall be capped and rendered on the public facing side.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4.
 - (a) Prior to commencement of development details, including scale elevation drawings and plans, of the rear garden side boundary treatment, height and layout for the new dwelling shall be submitted to the planning authority for its written agreement.
 - (b) The boundary walls at the sole front vehicular access point shall be limited to a maximum height of 0.9 metres and any boundary pillars shall be limited to a maximum height of 1.2 metres.
 - (c) The width of each permitted vehicular access shall not exceed 3.5 metres.
 - (d) Any gates shall open inwards and not outwards over the public domain.
 - (e) The entrance apron shall be dished and widened to the full width of the vehicular entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the developer's expense.

Reason: In the interest of road safety.

5. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Water Services Section of the Council for such works and services. Prior to the commencement of development the developer shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

6. Prior to the commencement of development the developer shall enter into a connection agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

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

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 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 residential amenities of property in the vicinity

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.



Declan Moore

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 25th day of November 2024