

An
Bord
Pleanála

Board Order ABP-320128-24

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD24A/0095W

Appeal by Robert and Deborah Doyle care of Stephen Mason Architectural and Planning Services of 2 Clonkeely, Caslterahan, Ballyjamesduff, County Cavan against the decision made on the 24th day of June, 2024 by South Dublin County to refuse permission.

Proposed Development: Demolition of the existing garage building to the rear of the existing dwelling. Construction of one number two-bedroom three-person detached single storey pitched roof mews dwelling with a single storey flat roof rear projection located to the rear of the existing dwelling and fronting onto Bridewell Lane. Vehicular entrance is off Brideswell Lane and connection to all public services and all necessary ancillary site development works to facilitate this development, all to the rear of 101 Boot Road, Clondalkin, County Dublin.

Decision

GRANT permission for the above proposed development 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', the capacity of the adjacent laneway to accommodate vehicular traffic, the pattern of existing and permitted development in the area, including precedent decisions for similar developments in the immediate vicinity, the policies and provisions of the South Dublin County Development Plan 2022-2028, and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), which seek to encourage higher density development in built-up areas generally, 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 and would be acceptable in terms of traffic safety and convenience. The proposed development 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, 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 and to ensure an appropriate high standard of development.

3. Boundary details to the rear, front and side boundaries shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of proper planning and orderly development.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. The developer shall ensure that the site is appropriately maintained and that the public road remains free of any dirt and debris during the construction phase of development.

Reason: In the interest of proper planning and orderly development.

6. All public service cables for the proposed development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. 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 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 ensure that the proposed development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network within nine months of the date of this order

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

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 Caprani

Member of An Bord Pleanála

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

Dated this 21st day of November 2024.