



An
Bord
Pleanála

Board Order
ABP-321458-24

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD24A/0089

Appeal by Tracei Goddard care of Setanta Solicitors of 92/93 Saint Stephen's Green, Dublin against the decision made on the 19th day of November, 2024 by South Dublin County Council to grant, subject to conditions, a permission to Ciara Mackin care of John Taylor Architect Limited of 39 North Avenue, Mount Merrion, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of four number two-storey, three bedroom semi-detached houses, eight parking spaces and associated site works at site at Corbally Close, off Blessington Road, Dublin.

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 residential zoning which applies to the site, as set out in the South Dublin County Development Plan 2022-2028, under which residential development is stated to be generally acceptable in principle, it is considered that the proposed development, subject to compliance with the conditions set out below, would be an appropriate form of infill development in terms of scale, form and layout, would not seriously injure the residential and visual amenities of the adjoining residential estate and would be acceptable in terms of parking provision, traffic movements and pedestrian safety. The proposed development would be in accordance with the provisions of the Development Plan and 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 24th day of October, 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. Final detail design of the proposed bin store/collection area to serve the development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This bin store shall be purpose built, of high quality and appropriate treated/screened in the interest of visual amenity. Revised plans shall include elevation drawings clearly demonstrating the bin store in the context of the subject development and Corbally Close elevation.

Reason: In the interest of the visual amenities of the area.

3. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority, detailed design proposals for the crib wall (or other) as indicated in the plans and particulars received by the planning authority on the 24th day of October 2024.

Reason: In the interests of clarity and the proper planning and sustainable development of the area.

4. Prior to commencement of development the developer shall submit to, and agree in writing with, the planning authority, detailed proposals for the provision of functional electric vehicle charging points for the six number car parking spaces serving the proposed development as indicated on the 'Proposed Site Layout Plan' (Drawing Number ZH11-P01 Rev A) as received by the planning authority on the 24th day of October 2024.

Reason: In the interest of sustainable transportation.

5. All windows to the side gable elevations of the proposed dwellings shall be fitted and permanently maintained with obscure glass.

Reason: In the interest of residential amenity.

6. 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.

7. All service cables associated with the proposed development (such as electrical, communal television, telephone, and public lighting cables) shall be run underground within the site. In this regard, ducting in accordance with the requirements of the planning authority shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of orderly development and the visual amenities of the area.

8. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting along the pedestrian access to the four number dwellings and shall take account of the landscaping proposals as received by the planning authority on the 24th day of October 2024. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

9. Proposals for a naming and numbering scheme for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

10. All mitigation measures recommended within the Ecological Impact Assessment and Noise Impact Assessment shall be implemented in full.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure all appropriate measures are taken to ensure the protection of the environment.

11. 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 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.

12. Drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.

Reason: In the interest of proper site drainage.

13. 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.

14. (a) The communal open space, including the pedestrian access to the dwellings, hard and soft landscaping, the six number car parking spaces and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

15. 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 construction traffic (Construction Traffic Management Plan), noise management measures and off-site disposal of construction/demolition waste and shall comply with the requirements of the planning authority for such works.

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

16. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

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

17. Prior to commencement of development, the developer or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended unless an exemption certificate shall have been applied for and been granted under section 97 of the Act.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

18. 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.


Tom Rabbette

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

Dated this 15 day of April 2025