

An  
Bord  
Pleanála

**Board Order**  
**ABP-321667-25**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD24A/0228**

**Appeal** by Bernie and TJ Whelan of 18 Watermeadow Drive, Old Bawn, Dublin against the decision made on the 11<sup>th</sup> day of December 2024, by South Dublin County Council, to grant, subject to conditions, a permission to Gary and Alannah Anderson care of Michael Finnan of Lower Friarstown, Bohernabreena, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of side garage and construction of two dwellinghouses on site (one semi-detached, one detached), internal front garden alteration to existing vehicular access to public roadway to serve existing house. Forming of new vehicular access on the eastern boundary to serve the two new houses, and all ancillary works, all at 1 Watermeadow Drive, Old Bawn, Tallaght, 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 design, layout, scale, landscaping, parking and access provision of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not create a traffic hazard and would not negatively impact on the residential amenities of neighbouring properties, or the future occupants of the proposed development, and would align with the prevailing character and setting of the surrounding area and would be in accordance with the South Dublin County Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in January, 2024 and the Quality Housing for Sustainable Communities, Best Practice Guidelines issued by the Department of the Environment Heritage and Local Government in 2007. 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. Obscure glazing shall be fitted to the windows serving the first-floor en-suites of both proposed dwellings and the first-floor landing of the proposed dwelling 1B. The application of film to the surface of clear glass is not acceptable.

**Reason:** In the interest of residential amenity.

3. The existing 'Children at Play' sign adjacent the proposed vehicular entrance shall be relocated to a position to be agreed with the planning authority, and the sign shall be so relocated prior to the commencement of development as confirmed in writing with the planning authority.

**Reason:** In the interest of clarity and pedestrian safety.

4. Prior to commencement of development, the applicant shall submit to, and agree in writing with, the planning authority, additional Green Infrastructure interventions to be provided in the development.

**Reason:** In the interest of green infrastructure and biodiversity.

5. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority, proposals, including construction methodologies to be employed, for the protection of the existing trees in the public domain adjacent the application site.

**Reason:** In the interest of the protection of the existing street trees.

6. All of the in-curtilage car parking spaces serving the residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points.

**Reason:** In the interest of sustainable transportation.

7. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

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

8. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to 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.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interest of visual and residential amenity.

10. 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.

11. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.

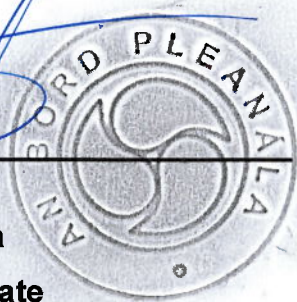

12. Prior to commencement of development, the developer, or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including a 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 shall be submitted to the planning authority for written agreement prior to 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.

13. 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 16<sup>th</sup> day of May 2025.