



An
Bord
Pleanála

Inspector's Report

ABP-321667-25

Development	Demolition of garage and construction of 2 houses with all associated site works.
Location	1 Watermeadow Drive, Old Bawn, Tallaght, Dublin 24
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD24A/0228
Applicant(s)	Gary Anderson & Allanah Anderson
Type of Application	Planning Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Bernie & TJ Whelan
Date of Site Inspection	3 rd April 2025
Inspector	Conor Crowther

1.0 Site Location and Description

- 1.1.1. The site of the proposed development measures approximately 0.08ha in area on a largely undeveloped corner site within an established suburban residential estate in the Local Authority area of South Dublin County Council. The site consists largely of overgrowth bounded by a relatively low-lying blockwork wall. The western part of the site includes the existing semi-detached 2 storey dwelling at no.1 Watermeadow Drive with a pitched roof, a single storey converted garage to the side and a modest rear garden. This dwelling is currently separated from the overgrowth area by a relatively low-lying blockwork wall.
- 1.1.2. The site is bounded to the south by the rear gardens of dwellings fronting onto Old Bawn Avenue, to the west by no.3 Watermeadow Drive and to the north and east by Watermeadow Drive roadway. The wider area consists of established low-density residential development with the Whitestown Stream, N81, The Square Shopping Centre and Tallaght Stadium located further to the north of the site. The Whitestown Stream drains to the River Dodder further to the east of the site.

2.0 Proposed Development

- 2.1.1. The proposed development is described as follows:
- Demolition of converted side garage of existing dwelling.
 - Construction of 2 no. two storey dwellings c.118m², one forming an end of terrace dwelling and the other forming a detached dwelling.
 - Alterations to existing vehicular entrance and creation of additional shared front vehicular entrance and parking.
 - Ancillary site and landscaping works.

Information/Documentation:

- 2.1.2. Along with the standard drawings and information, the application was accompanied by:
- Landscape Design Statement & Green Infrastructure Strategy.
 - Access & Parking Facilities Report (including 6 no. photographs).

- 2 no. letters from landowners.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. South Dublin County Council (The Planning Authority) issued a notification of its decision to GRANT permission for the above-described proposed development on the 11th December 2024, subject to 15 no. condition. Conditions of note include:

- **Condition 2** requiring the submission of details indicating additional green infrastructure interventions to meet the Green Space Factor, prior to commencement of development.
- **Condition 3(a)** requiring the submission of a visibility splay drawing showing clear sightlines in both directions and a swept path analysis showing access and egress, prior to commencement of development.
- **Condition 5** requiring suitable tree fencing and a no dig approach to the construction of the proposed driveway.
- **Condition 6** amending the layout of dwelling 1B to use obscure glazing on the 1st floor window of the southern elevation.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The Planning Officer's Report concluded that:

- The proposed development is permissible in principle.
- 2 no. previously proposed terraced dwellings under SD23A/0217 were considered to be permissible in principle.
- Overshadowing, overbearing and overlooking impacts of the proposed development on neighbouring properties not considered to be significant.
- Form and detail of the proposed development would integrate satisfactorily with the existing streetscape.

- The proposed development complies with the dual frontage, roof profile and front building line criteria.
- The proposed dwellings would provide additional street level activity and improved passive surveillance.
- Discrepancies exist in the boundary treatment detail i.e. the proposed height of the front boundary wall to dwelling 1b (eastern boundary of the site). This could be addressed by way of condition.
- The private open space proposed substantially exceeds the minimum requirements.
- The overall design of the proposed development considered acceptable and would generally respect the character of the area.
- The proposed dwellings meet the minimum internal accommodation requirements for 3 bed dwellings.
- Not considered appropriate or necessary to require a contribution in lieu of public open space due to the nature of the development.
- A full green infrastructure (GI) assessment and plan for the proposed development would not be required due to the size, scale and nature of the proposed development.

3.2.3. Other Technical Reports

- Roads Section – additional information requested on visibility splays and swept path analysis. No objection, otherwise, subject to 4 no. conditions.
- Public Realm Section – no objection, subject to 3 no. conditions.

3.3. Prescribed Bodies

3.3.1. None received.

3.4. Third Party Observations

3.4.1. Several 3rd party observations were received in response to the application submitted to the Planning Authority. The issues raised by observers are generally

reflected in the 3rd party appeal and the Planning Authority decision submitted to the Board, and include the following concerns:

- Depreciation of the value of neighbouring properties.
- Incorrect reference to existing side extension/garage.
- Loss of living space of existing dwelling.
- No information regarding electricity or gas.
- Large tree to be retained onsite a safety concern.
- No.59A Watermeadow Drive represents a good example of side garden development.
- Each dwelling includes converted attic space that could allow for at least 2 further bedrooms.

4.0 Planning History

Subject Site:

- 4.1.1. SD23A/0217 – Permission REFUSED in 2023 for demolition of side garage, construction of 2 no. 2 storey dwellings, alterations to existing vehicular access, construction of new shared vehicular access and ancillary works.

Reason for refusal includes significant changes to the description, design and site layout of the proposed development at Additional Information (AI) stage thereby warranting a new planning application.

- 4.1.2. SD22A/0005 - Permission REFUSED in 2022 for demolition of side garage, construction of 2 no. 2 storey dwellings, alterations to existing vehicular access, construction of new shared vehicular access and ancillary works.

Reason for refusal includes the location of the proposed vehicular entrance for the existing dwelling on a bend which would endanger public safety and create a traffic hazard.

- 4.1.3. SD20A/0168 – Permission REFUSED in 2020 for demolition of side garage, construction of 2 no. 2 storey dwellings each containing 1 no. family flat unit,

alterations to existing vehicular access, construction of new shared vehicular access and ancillary works.

Reasons for refusal include family flats Development Plan policy does not apply to new development and non-compliance with housing policies and residential standards set out in the Development Plan.

- 4.1.4. CE20/0028 – Permission for exempt development GRANTED in 2020 for demolition of side garage.
- 4.1.5. SD10A/0226/EP – Permission GRANTED in 2014 for extension of duration of previous grant of permission. This permission was not enacted and has since extinguished.
- 4.1.6. SD10A/0226 – Permission GRANTED in 2010, subject to 14 no. conditions for 2 storey detached dwelling and a new vehicular access from public roadway to same on corner site.
- 4.1.7. SD04A/0003 – Permission REFUSED in 2004 for 2 No. semi-detached 2 storey houses at the side, together with alterations to existing dwelling.

Reasons for refusal include out of character with the pattern of development in the area by way of its proximity to the gable wall of the existing dwelling, limited size and depth of back garden. This would seriously injure the residential amenities and depreciate the value of neighbouring properties. Lack of adequate off-street parking which would result in on-street parking likely to endanger public safety and create a traffic hazard.

- 4.1.8. S99A/0211 – Permission REFUSED in 1999 by the Board for the construction of 2 no. semi-detached 2 storey dwellings at the side.

Neighbouring Sites of Relevance:

- 4.1.9. None.

5.0 Policy Context

5.1. Quality Housing for Sustainable Communities, Best Practice Guidelines, 2007

- 5.1.1. Published in 2007 by the Department of the Environment, Heritage and Local Government, these guidelines serve to implement national planning policies in place at the time, including the superseded National Spatial Strategy and National Development Plan. Given that no updated guidelines have been published since, these guidelines are still applicable in this instance.
- 5.1.2. Regarding the proposed development, the guidelines indicate minimum floor areas likely to be required to satisfy the requirements of normal living standards.

5.2. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024

- 5.2.1. These ministerial guidelines serve to implement the principles of sustainable residential development in urban areas. The following guidelines can be applied to the proposed development:
- SPPR 1 – Separation Distances – *‘minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level’.*
 - SPPR 2 – This SPPR sets minimum private open space standards as follows:
 - 3 bed house 40m²
 - SPPR 3 - Car Parking – *‘In intermediate and peripheral locations, defined in Chapter 3 (Table 3.8) the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling’.*

5.3. South Dublin County Development Plan 2022-2028

- 5.3.1. The following are sections, policies and objectives of relevance to the proposed development from the South Dublin County Council Development Plan:

- Map 9 – Zoning Objective RES *‘To protect and/or improve residential amenity’*.
- The following protections apply to the site:
 - Aviation safeguarding – Casement Aerodrome – Conical Surface & Bird Hazards
- Chapter 4 – Green Infrastructure (GI)
 - GI1 Objective 4 – Requires all development to incorporate GI through landscape plans.
 - GI2 Objective 4 – *‘To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments’*.
 - GI4 Objective 1 – Aims to limit surface water run-off from new developments through SuDS. Ensure that SuDS are integrated into all new developments.
 - GI5 Objective 4 – Requires developments of 2 dwellings or more to demonstrate compliance with the Green Space Factor (GSF).
- Chapter 6 – Housing
 - Policy H9 – Ensure that all dwellings have access to high quality private open space.
 - Policy H10 – Ensure that all new dwellings provide a high standard of accommodation.
 - H10 Objective 1 – Ensure appropriate quantitative and qualitative standards are met.
 - H11 Objective 3 – Ensure that private open spaces are enclosed with perimeter blocks behind the building line and are subdivided with suitably robust boundary treatments.
 - Policy H13 – *‘Promote and support residential consolidation and sustainable intensification at appropriate locations’*.
 - H13 Objective 2 – Maintain and consolidate existing housing stock through consideration of infill development in established areas.

- H13 Objective 3 – Favourably consider development of corner or wide garden site within the curtilage of existing houses in established residential areas.
- H13 Objective 5 – Ensure new development in established areas does not unduly impact on amenities or character of an area.
- Chapter 11 Infrastructure & Environmental Services
 - IE2 Objective 7 – Promotes water conservation in all developments, including rainwater harvesting.
 - Policy IE3 – *‘Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive’.*
- Chapter 12 Implementation & Monitoring
 - Section 12.6.7 Residential Standards – *‘All houses must comply with or exceed the minimum floor area standards contained in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007), or as may be superseded’...by The Development Plan.*
 - Table 12.20 Minimum Standards for Housing – 3 bed dwelling minimum size – 92m².
 - Section 12.6.8 Corner/Side Garden Sites – Development on corner sites should:
 - Maintain an appropriate setback from adjacent dwellings.
 - Provide dual frontage.
 - Designed and sited to match front building line.
 - Respond to the roof profile of adjoining dwellings.
 - Incorporate transitional elements where building forward or behind the prevailing building line.
 - Respond to the architectural character of the area.
 - Section 12.7.5 Car Parking / Charging for Electric Vehicles (EVs) – *‘For new dwellings with in-curtilage parking, appropriate infrastructure*

should be provided to allow for installation of a charging point at a later date’.

- Section 12.7.6 Car Parking Design & Layout – Supports in-curtilage parking for lower density residential development where adequate plot widths exist to provide for the planting of materials which have a low-level screening effect and where there is conveniently located off-street parking for visitors. Permeable paving is also advocated where a hard surface is proposed in the front garden.

5.4. Natural Heritage Designations

5.4.1. The closest site of natural heritage interest to the proposed development is the Dodder valley proposed Natural Heritage Area (000991) which is located approximately 1km to the east of the proposed development. Other sites of relevance include:

- The Glenasmole Valley proposed Natural Heritage Area (001209) located approximately 2.5km to the south of the proposed development.
- The Glenasmole Valley Special Area of Conservation (001209) located approximately 2.5km to the south of the proposed development.
- The Lugmore Glen proposed Natural Heritage Area (001212) located approximately 2.8km to the southwest of the proposed development

5.5. EIA Screening

5.5.1. Having regard to the limited nature and scale of the proposed development, the location of the site within a serviced suburban area at a remove from areas of environmental sensitivity, and the criterion set out in Schedule 7 of the Regulations, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination stage (see Appendix 2) and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A 3rd party appeal was submitted by Bernie & TJ Whelan of Watermeadow Drive, on the 15th January 2025 opposing the decision of the Planning Authority to GRANT permission. The grounds of appeal are summarised as follows:

- Historic site planning history supports refusal of permission, particularly SD 20A/0168 & SD04A/0003 which are cited by the appellants.
- The proposed development would add to the increased volume of vehicle and pedestrian traffic in the area.
- Out of character with the pattern of development in the area due to removal of adjoining garage and utility room creating a terracing effect.
- Negative impact on residential amenities of neighbouring properties.
- The site cannot accommodate additional dwellings, and the layout of the surrounding area was not designed to accommodate additional dwellings in this location.
- A previous grant of permission for a dwelling on this site was acceptable and was not objected to (SD10A/0226).
- The site is located on a narrow entry point into Watermeadow Drive and the likely resultant congestion and on-street parking will create a traffic hazard.
- The proposed development does not reflect previous objections raised by local residents.
- Evidence of traffic movement and existing road layout is provided via a USB stick.
- The applicants' drawings are not reflective of the existing site measurements.
- The proposed development is likely to be rented out and not used as the primary home.

6.2. Applicant Response

6.2.1. The applicants' response to the grounds of appeal is summarised as follows:

- The onsite planning application refused by the Board in 1999 differs significantly to that of the subject appeal and there have been numerous policy changes in the intervening 25 years.
- The proposed development accords with the current County Development Plan and Government Guidelines.
- Precedent exists in the surrounding area of semi-detached dwellings being transformed into terraced dwellings i.e. 53-59 Watermeadow Drive, 34-40 Watermeadow Drive and 17-23 Old Bawn Avenue.
- The Planning Authority concluded that the proposed development would integrate satisfactorily with the existing streetscape.
- Issues relating to traffic, parking and access are addressed in the applicants' submitted Access & Parking Facilities Report.
- The curtilage wall is proposed to be 0.8m high and not 1.8m, as indicated by the Planning Authority's Roads Section (see Drawing D-2415-02: Proposed Site Layout Plan, submitted in response to the appeal).
- Photographs 5 and 6 from the submitted Access & Parking Facilities Report indicate that the existing street trees will not be required to be removed for sightline purposes.
- Accepted that the existing 'Children at Play' street sign will require minor re-location to facilitate the proposed development.
- The proposed parking and driveway arrangement reflects previous feedback provided by the Planning Authority's Roads Section.
- The applicants are brother and sister and intend to construct the proposed dwellings as their family homes.
- The site area is 0.08 ha not 0.04ha and the proposed development is not attempting to squeeze an additional dwelling into the corner site, as claimed by the appellants.

- The Planning Authority determined that the site is suitable for infill development and that the proposed development would not lead to significant overlooking, overbearing or overshadowing.

6.3. Planning Authority Response

- 6.3.1. The Planning Authority confirms its decision and states that the issues raised in the appeal have been covered in the Chief Executive Order.

6.4. Observations

- 6.4.1. None.

7.0 Assessment

- 7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Design & Layout
- Residential Amenity
- Parking & Access
- Landscape & Drainage
- Other Matters

7.2. Principle of Development

- 7.2.1. Given the RES zoning for the site which aims to protect and/or improve residential amenity, I consider the principle of the proposed infill residential development to be acceptable. I note that the Development Plan includes policy objectives supporting residential infill and consolidation (Policy H13 & H13 Objective 2). I consider the proposed development to be reflective of the type of residential infill and

consolidation supported by these policy objectives due to its location within a mostly greenfield infill corner site in an established residential area.

7.2.2. The site planning history demonstrates the significant number of precedent decisions on this site relating to similar developments to the type of development proposed. The appellants have highlighted previous refusals and a previous grant of planning permission which they consider to be acceptable. In respect of precedent decisions, I consider that the acceptability of developing the site for infill residential development has been established through Ref. SD10A/0226 (single dwelling). Precedent refusals largely relate to previous Development Plans and are not reflective of the current national and local policy approach which is to favourably consider the development of such corner sites (Policy H13, H13 Objective 2 & 3 of the Development Plan). Accordingly, I do not consider the precedent onsite decisions to be of material relevance to my assessment.

7.2.3. Precedent examples of the development of similar corner sites have been referenced by both the appellants and the applicants, including the following:

- No.59A Watermeadow Drive – The appellants have referred to this infill 2 storey detached dwelling as a good example of what can be achieved on a similar sized site. Whilst I agree with the appellants, I am of the view that the subject site is somewhat larger in size and that it could accommodate a 2nd infill dwelling. I consider proposed dwelling 1B to be largely similar to this infill dwelling and that it incorporates the acceptable principles of this precedent example.
- Nos.53-59 Watermeadow Drive – The applicants have referenced this terrace of dwellings in response to the appellants' contention that the formation of a terracing effect (proposed dwelling 1A) would be out of character with the area. Located approximately 117m to the northwest of the site within the same residential estate, I consider that this terrace of dwellings demonstrates the established terracing of what appears to be formerly semi-detached dwellings within the surrounding area.
- Nos.34-40 Watermeadow Drive – Similar to the above, the applicants referenced this row of dwellings in response to the appellant's contentions relating to the terracing effect of the proposed development. Located

immediately to the east of no.59A Watermeadow Drive, I do not consider that this row of dwellings represents a terrace of dwellings as it consists of several semi-detached dwellings with part 2 storey side extensions, including dormer windows. However, these side extensions are recessed from the existing roof profile thereby not aligning with the eaves and roof height of the existing dwellings. Thus, I do not consider this row of dwellings to represent a precedent example of terraced dwellings in the surrounding area.

- Nos.17-23 Old Bawn Avenue - Similar to the above, the applicants referenced this terrace of dwellings in response to the appellant's contentions relating to the terracing effect of the proposed development. Located directly to the southwest of the site within the same residential estate, I consider this terrace of dwellings to reflect nos.53-59 Watermeadow Drive, as discussed above.

7.2.4. Having regard to the foregoing, I consider that the applicants have demonstrated the existence of terraced dwellings within the immediate vicinity of the site that previously functioned as semi-detached dwellings. I am therefore satisfied that the creation of an end of terrace dwelling (proposed dwelling 1A), in place of a semi-detached dwelling, would not be out of character with the architectural context of the area.

7.3. Design & Layout

7.3.1. The appellants have raised concerns with the design and layout of the proposed development and its assimilation with the existing character of the area. In particular, the appellants contend that the creation of an end of terrace dwelling would detract from the character of the area. I am of the view that the proposed end of terrace dwelling (Dwelling 1A) would not detract from the character of the area given its scale and design and the fact that there are existing examples of terraced dwellings within the immediate surrounding area, as discussed in Section 7.2 above. Likewise, I am not of the view that the provision of a detached dwelling (Dwelling 1B) would detract from the character of the area as there are multiple examples of existing detached dwellings in the area, particularly on corner sites. I am also of the view that the design of the proposed dwellings would not detract from the existing neighbouring dwellings due to their similar form, external finishes, pitched roofs and matching 2 storey height. I therefore agree with the Planning Authority on this matter.

- 7.3.2. Whilst I note that the fenestration arrangement on both the front and rear elevations would differ to that of existing dwellings, I do not consider that they would materially impact the appearance of the proposed dwellings within the existing streetscape due to their similar size and positioning. Likewise, I note the proposed front porch design of the dwellings would differ to that of many existing dwellings in the vicinity due to their pitched roof nature. However, I do not consider that the pitched roof nature of the front porches would materially impact the appearance of the proposed dwellings within the existing streetscape as precedent exists for such front elevation designs in neighbouring dwellings such as no. 2 & 5 Watermeadow Drive. The pitched roof design of the front porches would also be confined to ground floor level thereby restraining their appearance within the streetscape allowing for the appropriate assimilation of the proposed development.
- 7.3.3. I note that the appellants questioned the layout of the proposed development, particularly the fact that the attic areas allow for spacious storage which they contend could be used as additional bedrooms. Having analysed the submitted drawings, I consider that the attic areas would not viably function as habitable accommodation due to the low floor to ceiling heights and the provision of 1 no. velux rooflight that would not provide for sufficient levels of natural daylight to sustain a habitable room. I therefore consider the layout of the proposed dwellings to be reflective of their proposed use as 3 bed dwellings.
- 7.3.4. Regarding the standard of internal accommodation, I note the requirements of both the Development Plan and Quality Housing for Sustainable Communities Best Practice Guidelines. I agree with the Planning Authority and the applicants that the proposed development would meet the standards with regard to floor areas and storage space set out in the Best Practice Guidelines and would therefore comply with Policy H10, H10 Objective 1, Section 12.6.7 and Table 12.20 of the Development Plan relating to residential standards.
- 7.3.5. From analysis of the submitted drawings, I consider that the provision of private amenity space for both dwellings would be in excess of the minimum 40m² standard set out in SPPR 2 of the Compact Settlement Guidelines. Equally, I consider the remaining private amenity space associated with no.1 Watermeadow Drive to meet this standard. Both the proposed Site Layout Plan (Drawing no. D-2415-02) and the Landscape Plan demonstrate that the proposed private amenity spaces would be

located behind the building line and would be subdivided by appropriate landscaping and block walls. I therefore consider the proposed development to be in compliance with Policies H9 and H11 Objective 3 of the Development Plan which require the provision of high quality private open space and suitably robust boundary treatment.

- 7.3.6. In relation to Section 12.6.8 of the Development Plan which focusses on corner and side garden sites, the proposed development is required to provide a dual frontage, match the front building line, maintain appropriate separation distances and respond to both the roof profile and architectural character of the area. Having analysed the submitted drawings and observed the surrounding area on my site visit, I consider that the proposed development would not have any blank frontages, would generally align with the existing building line, would reflect the existing pitched roof profile and would be located at an appropriate distance from the existing neighbouring dwellings. I am therefore satisfied that the proposed development would meet the above criteria and would comply with Section 12.6.8 of the Development Plan, as stated in the Planning Officer's Report.

7.4. Residential Amenity

- 7.4.1. Although the submitted drawings do not indicate separation distances to neighbouring dwellings, I am satisfied that the proposed dwellings would not be within 16 metres of opposing windows serving habitable rooms at the rear or side of houses, as set out in SPPR 1 of the Compact Settlement Guidelines. In my opinion, the positioning, layout and orientation of the proposed dwellings does not allow for direct overlooking of neighbouring dwellings. I consider the sole area where there is the potential for direct overlooking to occur would be from the 1st floor window along the southern elevation of dwelling 1B. However, this window does not serve a habitable room as it serves the 1st floor landing. In any case, the Planning Authority conditioned the use of obscure glazing on this window which I consider acceptable, in the interests of residential amenity. Thus, in the event that the Board decide to grant planning permission, I consider it appropriate to include this condition.
- 7.4.2. Whilst no daylight/sunlight assessment has been provided as part of the application or the appeal, I do not consider that significant overshadowing effects are likely to arise due to the relative siting, orientation and separation distance (minimum of 11m) of the proposed dwellings from neighbouring dwellings. Likewise, I do not consider it

likely that the proposed development would significantly overbear neighbouring dwellings due to its positioning, form, scale and bulk which would generally assimilate with existing dwellings in the surrounding area. I therefore agree with the determination of the Planning Authority that the proposed development would not significantly overlook, overshadow or overbear neighbouring properties.

- 7.4.3. Regarding the residential amenity of future occupants, I note that four of the five proposed windows along the eastern elevation of dwelling 1A would be high level windows which would limit visibility of the internal accommodation in what is an exposed part of the site surrounded by low-level walls. I also note that the applicants' Landscape Plan shows tree planting adjacent to this elevation which would help to screen views of the proposed dwelling from the public domain. I am therefore satisfied that the residential amenity of future occupants would not be compromised by the proposed fenestration arrangement on this elevation. In addition, I note that the fifth window would be a standard single frame window serving the en-suite at 1st floor level. In the event that the Board decide to grant planning permission, I consider it appropriate to include a condition requiring the fitting of obscure glazing on this window in order to protect the residential amenity of future occupants. I also consider that this condition should be extended to the 1st floor en-suite window of dwelling 1B in the interests of the residential amenities of future occupants considering that this window is a standard single frame window and faces onto the public domain, albeit somewhat screened by proposed tree planting (as seen in drawing no. 8 – Proposed North streetscape elevation).

7.5. Parking & Access

- 7.5.1. I note that the appellants raised concerns about the impact of the proposed development on traffic in the area, in particular, the potential increased congestion arising from on-street parking associated with the proposed development. Given the modest nature of the proposed development which would add two additional dwellings to an established residential area, I do not consider the volume of traffic in the area to be materially impacted by the proposed development.
- 7.5.2. Regarding the proposed parking and access approach, I note that this has been informed by feedback provided by the Planning Authority's Roads Section in relation to previous proposals on this site. Although I consider the proposed parking and

access approach to be generally acceptable, I am in agreement with the appellants that it may lead to on-street parking considering the 3-bed nature of the proposed dwellings and the likelihood of visitors accessing the site. Notwithstanding this, I am of the view that some on-street parking could be accommodated in the surrounding area as I did not witness an over-proliferation of same during my site visit.

Additionally, double yellow lines were absent during my site visit and the width of the roadway was approximately 5.8m, which, in my view, would not constrain on-street parking.

7.5.3. I consider that the location of the proposed development meets the criteria of an intermediate location, as defined in table 3.8 of the Compact Settlement Guidelines, due to the proximity of high frequency and/or reasonably frequent urban bus services on the Old Bawn Road. I therefore consider that the proposed development could allow for a maximum of 2 no. car parking spaces per dwelling under SPPR 3 of the Compact Settlement Guidelines. Nevertheless, I note the constraints of the site arising from previously refused site layouts and the views expressed by the Planning Authority in a recent onsite refusal (SD23A/0217) limiting the proposed development to 1 no. car parking space per dwelling due to the proximity of the Luas to the site, which I consider to be acceptable. I do not consider that this would materially impact what is an established low density suburban residential area with infrequent levels of traffic akin to such an area.

7.5.4. Having reviewed the submitted drawings which indicate sightlines of 40m and 70m, respectively, and having observed this on my site visit, I am satisfied that the submitted drawings accurately reflect the site measurements. Regarding the Planning Authority's concerns about the visibility of sightlines for vehicles accessing the site from the proposed vehicular entrance along the eastern elevation and the uncertainty around the height of the front boundary wall in this area, I note that the applicants have clarified the height of the boundary wall to be 800mm (see Drawing D-2415-02 submitted in response to the appeal) which I consider to be acceptable as this will not significantly impede views for vehicles exiting the site from this entrance. I also note that the applicants' report on access and parking commits to maintaining a maximum height of 900mm for the boundary walls to the front of the proposed dwellings. I am therefore satisfied that the proposed development would provide adequate sightlines to facilitate safe access and egress from the site. I also do not

consider the need to require a swept path analysis showing safe access and egress for vehicles given that established accesses for similar car movements already exist along this roadway and that adequate visibility splays are demonstrated.

- 7.5.5. Regarding pedestrian traffic in the area, I note the appellant's contentions that Watermeadow Drive is used as an access route for local school pupils. Whilst this may be the case, I am not of the view that this would lead to a constant flow of pedestrian traffic across the proposed accesses to the site to such an extent that would warrant refusal. Rather, it would lead to an infrequent increase in pedestrian traffic which would not, in my opinion, restrain the development of this site given the provision of adequate sightlines facilitated by low-lying boundary walls to the front of the site. I also note the appellant's concerns about the 'Children at Play' sign adjacent to the proposed access to the site which has not been identified on the applicants' drawings. However, in their response to the appeal, the applicants have admitted this oversight and have committed to re-locating the existing sign along Watermeadow Drive to facilitate the proposed development. I consider the proposed minor re-location of the 'Children at Play' sign to be acceptable as it would not diminish the effectiveness of the sign, nor would it create a traffic hazard. I am of the view that this could be addressed by way of condition, in the event that the Board decide to grant planning permission.
- 7.5.6. Regarding the proposed vehicular entrance, I note the proximity of an existing tree (as shown in the applicants' Landscape Plan) and the proposal to provide tree protective fencing around this tree. I consider this to be an acceptable and necessary preventive measure given the proximity of the tree to the proposed entrance. I also consider the Planning Authority's proposed no dig approach to the construction of the proposed entrance to be both necessary and acceptable due to the potential to impact the tree roots of the existing tree, in the event that the Board decide to grant planning permission. I consider such a condition should be extended to cover alterations to the existing vehicle entrance given the proximity of an existing tree to this entrance. I am therefore satisfied, subject to conditions, that the proposed development would not negatively impact existing trees bordering the site. I also do not consider it necessary to require the removal or relocation of existing trees bordering the site as I am of the view that they would not significantly impair visibility

at the entrances to the site due to the diameter of their trunks, the height of the tree canopies and the existing traffic volumes in the area.

- 7.5.7. Section 12.7.6 of the Development Plan supports in-curtilage parking for lower density residential development and permeable paving where hard surface driveways are proposed. Given that the proposed development represents a low-density residential development with permeable paving proposed as part of the parking area, I consider the proposed development to be compliant with this section of the Development Plan. I do not, however, consider the proposed development to be compliant with Section 12.7.5 of the Development Plan relating to the installation of EV charging infrastructure for new dwellings with in-curtilage parking. Notwithstanding this, I am of the view that this could be addressed by way of condition, in the event that the Board decide to grant planning permission, by requiring the installation of EV charging infrastructure prior to the occupation of the proposed development. I am therefore satisfied with the design and layout of the in-curtilage parking, subject to conditions.

7.6. Landscape & Drainage

- 7.6.1. I note that the Planning Authority recommended a condition requiring the submission of additional measures to comply with the Green Space Factor (GSF), as set out in GI5 Objective 4 of the Development Plan. The applicants' submitted Landscape Design Statement & Green Infrastructure (GI) Strategy concludes that both the existing site and the proposed development do not meet the GSF but that the proposed development would result in a net gain for biodiversity. However, both the existing site and the proposed development achieve the same GSF score. I am therefore of the view that further measures would be required to comply with the GSF, and that the Planning Authority's recommended condition would be justified (see Section 3.1.1 of this report – Condition 2), in the event that the Board decide to grant planning permission. Notwithstanding this, I consider the proposed development to be compliant with GI1 & GI2 Objective 4 and GI4 Objective 1 of the Development Plan as the submitted Landscape Design Statement & Green Infrastructure Strategy incorporates SuDS and GI into the proposed development.
- 7.6.2. On the topic of drainage, I note that rain gardens, permeable paving and rainwater butts are included within the proposed development. This aligns with IE2 Objective 7

and Policy IE3 of the Development Plan relating to the management of surface water and rainwater harvesting. I therefore consider these elements of the proposed development to be acceptable. I note that the applicants' submitted Drainage Layout Plan (Drawing no. D-2415-03) shows that the proposed development intends to connect to the existing foul and surface water drainage system. I consider that the applicants should be required to engage with Uisce Éireann on this matter prior to the commencement of development, in order to secure a connection to the existing drainage network. I consider that this could be addressed by way of planning condition, in the event that the Board decide to grant planning permission.

7.7. Other Matters

- 7.7.1. I note the concerns raised in the 3rd party observations in respect of the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.
- 7.7.2. I note that the appellants have raised concerns about the tenure of the proposed dwellings and contend that they would be rented to the open market. The applicants have stated that the proposed dwellings would be used as their family homes. Given the number of dwellings proposed and the fact that applicants have stated that the proposed dwellings would be used as their family homes, I do not consider the tenure of the proposed dwellings to be an issue in my assessment of the proposed development.

8.0 AA Screening

- 8.1.1. I have considered case ABP 321667-25 in light of the requirements of S177U of the Planning and Development Act 2000, as amended.
- 8.1.2. The proposed development is located within a residential area and comprises the demolition of a converted side garage of the existing dwelling, construction of 2 no. two storey dwellings and all associated site works. The closest European Site, part of the Natura 2000 Network, is the Glenasmole Valley Special Area of Conservation (001209), located 2.5 kms south of the proposed development.

- 8.1.3. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 8.1.4. The reason for this conclusion is as follows:
- Small scale and domestic nature of the development.
 - The location of the development in a serviced suburban area, distance from European Sites and suburban nature of intervening habitats, absence of ecological pathways to any European Site.
- 8.1.5. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.1.6. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that planning permission be GRANTED for the proposed development for the reasons and considerations as set out below.

10.0 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.

11.0 Conditions

1. The development shall be carried out 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 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) Obscure glazing shall be fitted to the single frame windows serving the 1st floor en-suites of both proposed dwellings and the 1st floor landing of proposed dwelling 1B.

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 interests of residential and visual amenity

3. The proposed relocation of the 'Children at Play' sign adjacent to the proposed vehicular entrance shall be clearly outlined in revised drawings, supported by a letter of consent from the relevant competent authority approving the relocation of the sign, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of clarity.

4. Prior to the commencement of development, the developer shall liaise directly with the planning authority to determine what additional GI interventions can be provided. Following this and prior to the commencement of development, the developer shall submit these details for the written agreement of the planning authority and thereafter implement these agreed GI interventions.

Reason: In the interests of green infrastructure and biodiversity.

5. A “no dig” method of driveway construction and alteration shall be used in accordance with BS 5837:2012 - Trees in relation to construction – Recommendations.

Reason: In the interests of protection of the existing street trees.

6. All of the in-curtilage car parking spaces serving 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. Details of how it is proposed to comply 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 sustainable transportation.

7. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) 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. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. Prior to commencement of works, 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 development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

10. 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.

11. 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Conor Crowther
Planning Inspector

30th April 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	321667-28		
Proposed Development Summary	Demolition of garage and construction of 2 houses with all associated site works		
Development Address	1 Watermeadow Drive, Old Bawn, Tallaght, Dublin 24		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	☒
		No	Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	☒	Class 10(b)(i) [Residential] mandatory threshold is 500 dwelling units. Class 10(b)(iv) [Urban Development] where the mandatory thresholds are 2ha, 10ha or 20ha depending on location.	Proceed to Q3.
No	☐		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	☐		
No	☐		Proceed to Q4

	✓		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	2 dwelling units/500 dwelling units OR 0.08ha/5ha.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: Conor Crowther Date: 30th April 2025

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-321667-25
Proposed Development Summary	Demolition of garage and construction of 2 houses with all associated site works
Development Address	1 Watermeadow Drive, Old Bawn, Tallaght, Dublin 24
The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project, confines demolition works within the boundaries of the site, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European	The development is situated in a suburban area on an corner infill site located within an existing housing area zoned for residential development in the County Development Plan. The development is removed from sensitive natural habitats, designated sites and landscapes of identified significance in the County Development Plan.

sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).		
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	
There is a real likelihood of significant effects on the environment.	EIAR required.	

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)