



## Board Direction

**Ref: 06D.238281**

The submissions on this file – including the applicant’s response to the Board’s section 132 notice, and the comments from the parties following circulation of same - and the Inspector's report were considered at a further Board meeting held on 9<sup>th</sup> August 2011.

The Board was satisfied, having regard to the drawings and documentation available on file, the site inspection carried out and to the information available on the planning history file (PL 06D.224213 refers), that there was satisfactory information before it upon which to make a fully informed decision.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, as per the following draft reasons, considerations and conditions.

### Reasons and Considerations

Having regard to:

- the location of the site in close proximity to the village of Ballybrack, in close proximity to lands zoned as neighbourhood centre in the current Development Plan for the area,
- the limited scale of the proposed commercial activity (as further reduced in the course of the planning appeal) and the fact that small scale offices are ‘open for consideration’ on residentially zoned land,
- the planning history of the site which includes permission for a building of similar scale on the subject site

it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety, parking and convenience of road users, and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### Conditions

1. Plan partic (include FI to ABP)
2. As per PA c.2 . Add “Specifically, the maximum height of the front block facing the street shall not exceed 111.90m OD (and 108.90 mOD on the lower element on the northern side adjacent to ‘Keem’), and the height of the rear block shall not exceed 109.90 m OD ”. Revised drgs to PA for agreement etc.. Reason: in the interests of visual and residential amenity, and taking into account the content of the public notices.

3. The proposed bin store serving the office units shall be enclosed with a roof and access door. Details to be agreed with PA etc.. Reason: in the interests of residential amenity.
4. As per PA c3 (three office units). Reason: so as to integrate successfully with the neighbourhood centre function of adjoining land having regard to the land-use zoning of the site.
5. Shopfront 1 (sep planning app)
6. De-exempt rooftop plant standard.
7. Waterdrain (incl attenuation) std.
8. Cables underground std.
9. Externgeen std
10. Naming standard
11. Lighting std.
12. As per PA c.13
13. As per PA c14.
14. As par PA c17.
15. As per PA c21 (electric charge points)
16. As per PA c.18 and 19 (merge as parts a and b) (standardise)
17. Wasterecycle standard
18. As per C7 of PL06D.224213
19. CMP std.
20. Hours of construction 08.00 – 18.00 Mo Fri and 08.00 – 14.00 sat. standardise.
21. Management co std.
22. Landscaping (incl paving and hard landscaping)
23. Part V std
24. Bond std (c/f PA c.29)

Board Member: \_\_\_\_\_ Date: 9<sup>th</sup> August 2011  
Conall Boland

Note: Copy of Direction to issue with Order.