



An  
Bord  
Pleanála

**Board Direction**  
**BD-005888-20**  
**ABP-306592-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/06/2020.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the zoning provisions of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, to the presence of an existing dwelling on the site, to the nature, scale and layout of the proposed development, the Board was satisfied that subject to the conditions as set out below, the proposed development would be acceptable in terms of public safety and would not impact on the safety of rail users and would also be acceptable in terms of visual and residential amenity of adjoining properties and the amenity of future occupants. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board is satisfied that the proposed development, including the demolition of an existing house and construction of a replacement dwelling, subject to compliance with the conditions as set out below, would not have a negative effect on the stability and structural behaviour of the railway tunnel immediately beneath the site.

Furthermore, the Board is satisfied that the proposed development has adequately considered the impact of the operating railway beneath the site and the potential for negative impacts arising from vibration and is satisfied that subject to compliance with the conditosn attached would mitigate against any potential impacts.The proposed development would, therefore, be acceptable in terms of public safety.

### **Conditions**

- 1 Plans and particulars.
- 2 Materials and finishes.
- 3 Construction and Environmental Management Plan (CEMP)
- 4 C&D Waste MP
- 5 Condition no.4 prevent the use of the roof as a balcony/ amenity area. (as per PA C4.)
- 6 IW Condition.
- 7 S.48 unspecified.

**Note:** Please refer to the Railway Safety Act 2015 putting an obligation on persons working on or near the railway to ensure that there is no safety impact on the operation of the railway. (as per PA Note 4)

**Board Member**

**Date:** 04/06/2020

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Paul Hyde