



An
Bord
Pleanála

Board Direction
BD-006627-20
ABP-307146-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/10/2020.

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 provisions of the Dublin City Development Plan 2016-2022, the location of the site in proximity to the DCU campus, the Z3 zoning of the site which allows for residential use above ground floor, and the form, scale, layout and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of density, would respect the existing character of the area, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, and 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 had regard to the scale of the development, its location in proximity to DCU, and the infill nature of the development and considered that the lack of dual aspect apartments could be dealt with by condition, and that the proposed development would not give rise to unacceptable levels of on-street carparking in the vicinity, and would be acceptable in terms of pedestrian and traffic safety.

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 submitted on the 24th day of February 2020, 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) Second Floor Apartments A and C shall be amalgamated to form 1 number one bedroom dual aspect apartment.
 - (b) Second Floor Apartments B and D shall be amalgamated to form 1 number one bedroom dual aspect apartment.
 - (c) Secure weatherproof bicycle storage for 6 bicycle spaces shall be provided within the yard area to the rear of the proposed development.

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 amenity.

3. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

6. No additional development shall take place above roof parapet level, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. The noise level shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) at the nearest dwelling between 0800 and 2000 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the [residential] amenities of property in the vicinity of the site.

8. 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 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.

9. 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.

Board Member

Date: 05/10/2020

Michelle Fagan