



An  
Bord  
Pleanála

**Board Direction**

**PL06D.246475**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on August 16<sup>th</sup> 2016.

The Board decided, by a vote of 2 to 1, to grant permission for the following reasons and considerations, and subject to the following conditions.

In deciding not to accept the recommendation of the Inspector to refuse permission, the Board considered that the revised proposals, as submitted to An Bord Pleanála with the appeal, and which included the omission of the proposed second floor and the proposed mansard roof, would render the development acceptable and not out of character with the pattern of development in the vicinity.

### **Reasons and Considerations**

Having regard to the pattern of development in the vicinity, including a variety of mews houses of differing external appearance, and having regard to the policies set out in the current Dún Laoghaire-Rathdown County Development Plan to encourage the development of residential housing at appropriate densities within existing established areas that are well served by public transportation and community facilities, it is considered that, subject to compliance with the conditions set out below, including the modifications to the proposed development submitted as part of the appeal, the proposed development would not seriously injure the residential or visual amenities of the area, would not detract from the character and setting of nearby protected structures, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **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 revised drawings submitted to An Bord Pleanála on the 19<sup>th</sup> day of April 2016, 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. (a) The proposed pitched roof on the front portion of the development shall be finished in blue/black natural slates, and the ridge tiles shall match the slate roof colour.
- (b) The proposed flat roof on the rear portion of the development shall not be used as a roof garden and shall not be accessed from the proposed houses except for maintenance purposes. It may, if desired, be finished as a “green roof”, to details to be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (c) The external wall finishes of the proposed houses, including the stone finish, shall be agreed in writing with the planning authority prior to commencement of development.

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

3. The design and layout of the proposed car parking spaces to serve the proposed houses, and of the proposed bin stores, shall comply with the detailed requirements of the planning authority for such works. In this regard, the proposed development shall be modified so that the proposed new vehicular entrances to the houses and the new driveway/parking areas are laid out to accommodate the required 2 cars, one to the left and the other to the right, so that neither vehicle is required to drive onto the public roadway while the other vehicle wishes to exit the respective development. The bin stores shall be divided and relocated in order to achieve this modification, while maintaining a maximum vehicular entrance width of 3.5 metres. In addition, a footpath approximately 1.5 metres in width shall be provided along the front boundary of the development. Detailed drawings, providing for these amendments, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

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. All proposed new paved areas shall be constructed so as to be permeable.

**Reason:** In the interest of public health and to ensure a proper standard of development.

5. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed houses without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed houses, and in order to permit the planning authority to assess the impact of any such structures on the neighbouring protected structures through the statutory planning process.

6. The site and building works required to implement the development shall be carried out only between the hours of 08.00 to 18.00 Monday to Fridays, between 08.00 to 14.00 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 amenities of adjoining residential occupiers.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction and demolition waste.

**Reason:** In the interests of public safety and residential amenity.

8. S. 48 unspecified.

Note: The Board did not consider that it was necessary to require re-advertisement of the development, as a result of the modifications set out in the drawings submitted with the appeal, as it considered that the changes made to the proposal on appeal would be beneficial in respect of third parties and would not raise new issues of concern to neighbouring properties.

*[Please issue a copy of this Direction with the Board Order to the parties.]*

Board Member: \_\_\_\_\_  
Philip Jones

Date: 3<sup>rd</sup> August 2016