



## Board Direction

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**Ref: PL06D.246572**

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 6<sup>th</sup>, 2016.

The Board decided to grant permission generally in accordance with the following reasons and considerations.

### Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016 - 2022, to the design, nature and extent of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be served by adequate on site public and private open space, would deliver an acceptable standard of residential amenity for future occupants, would be acceptable in terms of traffic safety and convenience, would not be injurious to public health, and would not seriously injure the visual or residential amenities of the area. It is, therefore, considered that the proposed development would 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, principally on grounds of public open space deficiency, the Board noted that the proposed development comprised a mix of generously sized dwellings and considered that any open space deficit could be adequately addressed by condition. Subject to a planning condition extending the open space area into the blue lined area to the north east of the site, the Board did not consider the deficiencies identified by the Inspector would be so great as to warrant a refusal of permission in this instance. In this regard the Board considered it appropriate to exercise its power under S.34(4)(a) of the Act to attach condition number 2 requiring a further expansion of the public open space to serve the development. The Board considered that this would be in the interests of public amenities and would not injure the amenities of the area or of any third parties in the

vicinity. In respect of all other planning matters arising in the appeal the Board generally concurred with the Inspector.

### **Conditions**

1. Plan Particulars.
2. The proposed development shall be amended as follows:
  - a) The public open space shall be increased by 213 square metres by means of expanding the planning application site boundary into the blue lined lands owned by the applicants to the north east of the site.
  - b) The proposed vehicular and pedestrian gates to the development shall be omitted and the development shall not be a gated development. Save for emergency access from/to Auburn Lodge Apartments, the access road shall serve the permitted 14 residential units only.

A revised drawing showing the above amendments and the provision of full details of all finishes/surface dressings in the home zone area and detailed landscaping proposals for the enlarged open space shall be submitted to and agreed with the planning authority, in writing, prior to the commencement of development.

Reason: To secure a further expansion of the public open space to serve the development and in the interests of the residential amenities of the area.

3. Standard external finishes general condition and reason.
4. Standard urban water drainage condition and reason.
5. Standard internal road 1 condition and reason.
6. Standard public lighting condition and reason.
7. Standard cables condition and reason.
8. Standard estate naming condition and reason.
9. Standard Construction Hours condition and reason.
10. Standard CMP1 condition and reason.

11. Standard Management Company condition and reason.
12. Standard Waste Management condition and reason.
13. Standard Part V condition and reason.
14. Standard Bond Security (Management Company) condition and reason.
15. S.48 General Contribution

Note: The Board generally concurred with the Inspector that the site has sufficient pedestrian connectivity to other areas and did not consider it necessary to make further provision for a future walking route, linked via third party lands, to Church Road/Rochestown Avenue.

Board Member: \_\_\_\_\_ Date: October 5<sup>th</sup>, 2016  
Nicholas Mulcahy

*Please advise the applicant regarding the provisions of S.34(13) of the Planning Act and include a copy of the direction when issuing the order.*