



## Board Direction

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**Ref: 06D.246950**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18<sup>th</sup>, November 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the reasons and considerations and subject to the conditions as set out below.

### REASONS AND CONSIDERATIONS

It is considered that the internal modifications and external changes to the façades resulting from the proposed development comprising modifications to a permitted development of 87 no. residential units to provide an additional 6 no. units at this site

- (a) would be in accordance with the provisions of the *Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities* published by the Department of Environment, Community and Local Government in December 2015 and in accordance with the Dun Laoghaire Rathdown County Development Plan 2016-2022
- (b) would constitute a sustainable use of serviced lands close to community facilities and a high quality public transport route
- (c) and would not adversely affect the residential amenities or architectural heritage of the area.

Accordingly, it is considered that, subject to the conditions as set out below, the proposed development would 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, 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. This permission relates solely to amendments to the development permitted under PL06D.245456 and shall expire on the expiry date of that permission.

**Reason :** In the interest of clarity.

3. The conditions of the previous permission PL06D.245456 shall apply except where modified by the conditions herein.

**Reason :** In the interest of clarity.

4. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

5. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

6. 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: 18<sup>th</sup>, November 2016  
Paddy Keogh

