



## Board Direction

Ref: PL29S.247296

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30<sup>th</sup> January 2017. The Board decided to grant permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons, considerations and conditions set out below.

### REASONS AND CONSIDERATIONS

Having regard to the nature, design and scale of the proposed development, the Z3 zoning objective for the area as set out in the Dublin City Development Plan 2016 – 2022, which is to provide for and improve neighbourhood facilities, 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 enhance neighbourhood facilities, would not seriously injure the amenities of the area or of property in the vicinity, 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. PlansPartic incl. FI 03/08/16
2. The proposed screen to the balcony shall be increased in height to 1.5 m by the addition of obscure glazing.

**Reason:** To protect the residential amenity of neighbouring dwellings.

3. The proposed shopfronts shall be in accordance with the following requirements:
  - (a) signs shall be restricted to a single fascia sign using sign writing or comprising either hand-painted lettering or individually mounted lettering,
  - (b) sign lighting shall be concealed or by rear illumination,
  - (c) external roller shutters shall not be erected; any internal shutter shall be only of the lattice type, coloured to match the shopfront colour,

(d) no adhesive material shall be affixed to the windows or the shopfront.

**Reason:** In the interest of visual amenity.

4. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, awnings, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To prevent visual clutter and to protect the visual amenities of the area.

5. The noise level from the three commercial units shall not exceed 55 dB(A)  $L_{eq}$  (corrected by penalty for any tonal or impulsive components) at neighbouring dwellings or the proposed apartment between 08:00 and 20:00 on Monday to Friday, and shall not exceed 45 dB(A)  $L_{eq}$  at any other time. Procedures for 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 residential property.

6. The three commercial units shall not operate outside the hours of 09:00 – 21:00 on any day, including deliveries/collection, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of clarity, and to protect neighbouring residential amenity, including the proposed apartment.

7. (1) The two car park spaces to the rear shall be permanently allocated to the apartment and shall not be used in associated with the three commercial units.
- (2) The four car park spaces to the front shall be permanently allocated to the commercial uses and shall not be used by staff.

The car park spaces shall not be sold, let or otherwise conveyed except together with their assigned uses.

**Reason:** To reserve the use of the car park spaces for their stated purposes, in the interest of residential amenity and orderly development.

8. Plans and particulars of the proposed bicycle parking shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity, sustainable travel and orderly development.

9. (1) The existing planting along the rear boundary with 64 St Agnes Road to the north east shall be retained and supplemented with semi-mature trees/shrubs of species and size appropriate to a residential setting.
- (2) Details of this planting, and of that proposed to the front of the car park spaces, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.
- (3) Planting shall be completed within the next planting season following completion of construction. Any plants that die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** To protect visual and residential amenity.

10. No external services shall be installed, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission.

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

11. All service cables associated with the proposed development (such as electrical, telecommunications and television cables) shall be located underground.

Reason: In the interest of visual and residential amenity.

12. A plan containing details for the management of waste and recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials, and for the ongoing operation of these facilities, for each commercial and residential unit, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** In the interest of residential amenity of the apartment and of neighbouring dwellings, and to ensure the provision of adequate refuse storage.

13. Urban WaterDrain
14. ConstHours
15. CDW
16. Part V
17. Section 48 Unspecified

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