



An
Bord
Pleanála

Board Direction
PL29S.247868

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14th June, 2017.

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

Reasons and Considerations

Having regard to the zoning objective, the nature and scale of the proposed development, the current use on the site and the policies of the current Dublin City Development Plan, it is considered that subject to compliance with the conditions below, the proposed development would not seriously injure the residential or visual amenity of the area or have a negative impact on the character and setting of any conservation area or protected structure. 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 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 landscaping scheme shown, as submitted to the planning authority and An Bord Pleanála on the 14th day of February, 2017 shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme, the following shall be carried out:

- a) All trees and hedgerows used in the planting scheme shall be semi-mature.

All planting shall be adequately protected from damage until established. Any plants which 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: In the interest of residential and visual amenity.

3. No additional development shall take place above roof parapet level, including lift motor enclosures, 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.

4. Apart from any departures specifically authorised by this or other permissions, the development shall be carried out and completed in accordance with the terms and conditions of the permissions granted under

appeal reference number PL29S.234927, planning register reference number 2186/09, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

Note: The Board took into account the further correspondence received from Rathgar Residents' Association by An Bord Pleanála on the 29th day of March 2017.

Note: The Board also noted the provisions of Condition 11 of PL29S.234927.

Board Member

Date: 15th June, 2017

Paul Hyde