



An
Bord
Pleanála

Board Direction
PL29S.248534

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19th September 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 Z2 to protect and / or improve the amenities of residential conservation areas, to the character of the protected structure subject of the application for permission, the nature and detail of the works proposed and the context of the works on the boundary wall terminating a mews lane accessed by a number of properties, the Board is satisfied that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity and would be consistent 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 decision to grant permission is in respect of the raising of the southern boundary wall to the mews lane by approximately 1000mm, the provision of a pedestrian entrance gate of approximately 1200mm width and the provision of an access landing of approximately 3000mm by 2000mm (not exceeding the finished level of the adjacent mews lane) and access staircase of approximately 1400mm by 1800mm within the site. No other alterations to the finished levels of the rear garden to no.68 Brighton Road shall be authorised on foot of this decision.

Reason: In the interest of clarity.

3. The wall shall be of random granite rubble construction to match that of the existing wall.

Reason: In the interest of visual amenity.

4. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and

(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site,
and

- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

- 5. During construction and demolition phase the development shall comply with British Standard 5228 'Noise Control on Construction and Open Sites Part 1, Code of Practice for Basic Information and Procedures for Noise Control'.

Reason: In the interest of residential amenity.

- 6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours 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 residential amenities of property in the vicinity.

- 7. Site development and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and, should cleaning works need to be carried out on the adjoining public road arising from the carrying out of the development, the said cleaning works shall be at the expense of the developer.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

Board Member

Date:21st September 2017

Eugene Nixon