



An
Bord
Pleanála

Board Direction
PL29S.248883

The submissions on this file and the Inspector's report were considered at Board meetings held on 11th January 2018 and 31st May 2018.

At the meeting of the 11th January 2018, the Board decided to defer consideration of the case and requested the applicant to provide revised public notices for the proposed development to include for the retention of demolitions sought.

At the meeting of the 31st May, 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 provisions of the Dublin City Development Plan 2016 to 2022, to the nature, and scale of the proposed development for retention and construction, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity or give rise to a traffic hazard. 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. For the avoidance of doubt the development shall be constructed in accordance with plans and particulars that were received by the planning authority on the 29th day of May 2017, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity

3. The development shall be amended as follows:

- (a) The second floor extensions at both properties shall be omitted in their entirety.

- (b) The first floor extensions at both properties shall be set back 2m from the ground level rear elevations.

The developer shall submit revised drawings, including elevations and floor plans, to planning authority for its written agreement before development commences.

Reason: In the interest of visual and residential amenity.

4. The developer shall submit to the planning authority, within three weeks of the grant of this order, a full structural engineering survey (undertaken by a suitable qualified structural engineer) of the appeal site, particularly its interface with the adjacent property Number 19.

The developer shall submit to, and agree in writing with, the planning authority a detailed construction methodology which details the methodology to be employed for works adjacent to Number 19, prior to the commencement of construction works on site.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. The following Roads and Traffic Planning Division requirements shall be complied with:

(a) Any alterations to the public road network including removal and/ or relocation of on-street spaces shall be agreed in writing with Dublin City Council. Works shall be carried out at the applicant's expense.

(b) The driveway entrance shall be at least 2.5m or at most 3.6m in width and shall not have outward opening gates.

(c) One car parking space per dwelling shall be provided in the front garden area.

(d) Footpath and kerb to be dished and new entrance provided to the requirements of the Area Engineer, Roads Maintenance Department.

(e) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

(f) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interest of the proper planning and sustainable development of the area.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

Reason: In the interest of public health and to ensure a proper standard of development.

7. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.

(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

9. Site development and building works shall be carried out between the hours of 0800 to 1800 Monday 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.

10. 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

Maria FitzGerald

Date:

31st May 2018