



An  
Bord  
Pleanála

**Board Direction**  
**BD-001033-18**  
**ABP-300120-17**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/08/2018.

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 2016-2022, 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 support the achievement of an increase in density within the existing built footprint of the city and thereby increase the use and benefit from existing assets, such as public transport and social infrastructure, which is an aim of the settlement strategy of the plan; would not impact on the special interest of the protected structures or negatively impact on the residential conservation area; would not impact unduly on the residential amenities of the area or constitute a traffic hazard; and 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 as amended by the

further plans and particulars submitted on the 15<sup>th</sup> day of September 2017 and by the further plans and particulars received by An Bord Pleanála on the 11<sup>th</sup> day of December, 2017 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 existing gates to the property from Rathgar Place shall be retained or replaced. Details of proposed replacement gates shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to the commencement of development details of the treatment of the stub of wall and the gate to be erected in the line of the former wall shall be submitted to and agreed in writing with the planning authority. These details shall include retention of the wall to its current maximum northwards extent from the coach house and restoration of the wall to its full height, and the omission of the proposed canopy feature at the entrance gateway

**Reason:** To safeguard the special interest of the protected structures.

4. The west facing window in the main bedroom, bedroom no. 1, shall be reduced in width to the three central panels (i.e. c 1.7m width), to achieve a better reflection of the fenestration of the coach house

**Reason:** In the interests of orderly development and the visual amenities of the area.

5. Prior to the commencement of development details of the materials, colours and textures of all external finishes including samples, shall be submitted to and agreed in writing by the planning authority

**Reason:** In the interests of orderly development and the visual amenities of the area.

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

**Reason:** In the interest of public health.

7. The site and building works associated with the proposed development shall only be carried out between 0800 hours and 1800 hours Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No development works shall take place on Sundays, Bank or Public Holidays.

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

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: traffic management, noise management measures, number and size of vehicles accessing the site and disposal of demolition / construction waste.

**Reason:** In the interest of amenities, public health and safety.

9. Naming and numbering of the dwelling shall be in accordance with a scheme submitted to and agreed in writing by the planning authority prior to occupation.

**Reason:** In the interest of orderly street numbering and site identification.

10. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

**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:** 03/09/2018

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John Connolly