



An  
Bord  
Pleanála

**Board Direction**  
**BD-000820-18**  
**ABP-301089-18**

---

The submissions on this file and the Inspector's report were considered at a Board meeting held on the 30/07/2018 and at a further Board meeting on the 31/07/2018.

The Board decided by a majority of 3:2 to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the location of the proposed development on a *cul de sac* at the interface between the well established residential area and a more recent infill development, and on the periphery of the Z2 residential conservation area, the Board considered that the infill proposal at this site would integrate in a satisfactory manner with the existing pattern of development. Furthermore, it is considered that the high quality of the design would contribute positivity to the architectural quality and amenity of the area and would comply with policy CHC4 of the Dublin City Development Plan 2016-2022. Therefore, subject to compliance with the conditions set out below, the proposed development would 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 to the Planning Authority 15<sup>th</sup> January 2018, 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. 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.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings and including details of paving and boundary treatments, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, 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 adjoining property in the vicinity.

5. All public service cables for the development, including electrical and

telecommunications cables, shall be located underground throughout the site.

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

6. 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 the 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.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the design responded well to the site's characteristics and did not consider that the proposed development would seriously injure the visual character and architectural coherence of the residential conservation area and would not be overbearing, visually obtrusive or injurious to adjacent properties. The standard of private open space for the proposed dwelling was considered acceptable.

**Board Member**

**Date:** 31/07/2018

---

Eugene Nixon