



An
Bord
Pleanála

Board Direction
BD-000780-18
ABP-301301-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 23rd 2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning of the site in the Dun Laoghaire Rathdown County Development Plan, in which infill residential development is permissible, and having regard to the policies of objectives of the Development Plan which encourage the densification of existing built-up areas (Policy RES4), and to national policy which encourages increased residential densities generally, and having regard to the limited scale and single-storied nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would not represent overdevelopment of the subject site, and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that, due to the limited scale and nature of the proposed development, and the particular configuration of the subject site, an infill dwelling in

this instance was acceptable and would conform generally to the provisions of the Development Plan. The Board did not accept that the development in question was a “backland” site, and accordingly did not consider that the provisions of the Development Plan in relation to backland development (Section 8.2.3.4(vi)) applied. Accordingly, the Board was of opinion that the proposal did not represent a material contravention of the Development Plan.

Conditions

1. Planpartic (as amended by revised drawings submitted to An Bord Pleanála on the 27th day of March 2018)
2. The boundary wall between the existing house plot and the proposed house plot shall be not less than 1.8 metres in height, and shall be either of concrete block, which shall be rendered on both sides and capped, or of brick, to details to be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interests of proper boundary definition and of residential and visual amenity.

3. 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.

4. Site development and building works shall be carried out only between 0800 to 1900 hours 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.

5. 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

Philip Jones

Date:

25th July 2018