



An
Bord
Pleanála

Board Direction
BD-002154-19
ABP-302540-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/01/2019.

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 scale, location and design of the proposed dwelling in this residential conservation area, to the general character and pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed dwelling would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, would provide an acceptable level of private amenity space to future occupants, would not be detrimental to the character or setting of the residential conservation area, and would generally comply with the policies of the Development Plan for the area. 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 the location of the site on a lane, and opposite an existing two storey building would be in keeping with the pattern of development of the area. The board further considered that the modest scale and contemporary design to be appropriate and would improve the visual amenities 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 received by An Bord Pleanála on the 11th day of September, 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. Prior to commencement of construction of the dwelling, details of the materials, colours and textures of all the external finishes to the proposed mews dwelling shall be submitted to the planning authority for agreement.

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

3. Notwithstanding the provisions of Schedule 2, Part 1 of the Planning and Development Regulations 2001(as amended), no extensions, garages, stores, offices or similar structures shall be erected without the prior grant of planning permission.

Reason: In the interests of residential and visual amenity and in order to ensure sufficient private open space be retained for the new dwelling.

4. 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.

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

Date: 18/01/2019

Stephen Bohan

Note:

- S.34 (13) applies.