



An  
Bord  
Pleanála

**Board Direction**  
**BD-002918-19**  
**ABP-303283-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/05/2019.

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 planning history for the site, and to the layout, design and scale of the development for retention and the proposed development, it is considered that subject to compliance with the conditions set out below, the development for retention and the proposed development would not seriously injure the visual and residential amenities of the area, would integrate satisfactorily within the surrounding area subject to the zoning objective Z2: (Residential Conservation Area) according to the Dublin City Development Plan, 2016-2022, and the protected structures within it, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health and would be in accordance

### **Conditions**

1. The development shall be completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and

particulars lodged on 31st October 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. A residential management company, to take responsibility for the ongoing management and maintenance of the entrance, car lift and car parking area, shall be established, full details of which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of clarity and orderly development.

3. The following requirements shall be provided for and adhered to in the development:

- Car parking spaces shall be permanently allocated to the proposed use and shall not be sold, rented or otherwise sub-let or leased to other parties.
- Priority shall be given to vehicles entering the site over those exiting the site in operation of the entrance and car-lift. This and the operation and maintenance of the car lift shall be the responsibility of the residential management company.

**Reason:** In the interest of clarity, traffic safety and convenience.

4. The first-floor rear elevation bathroom window to Unit 3 shall be fitted with opaque glazing.

**Reason:** In the interest of the residential amenities of the adjoining properties.

5. Details of all materials, colours and textures of external finishes shall be submitted to and agreed with the planning authority for agreement prior to commencement of development.

**Reason:** In the interest of clarity and the visual amenities of the area.

6. Construction activity shall be undertaken between 0700 hours and 1800 hours, Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No work shall take place on Sundays or bank or public holidays.

**Reason:** In the interest of residential amenities of adjoining properties and clarity.

7. Prior to commencement of development, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, noise management measures and off-site disposal of construction/demolition waste.

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

8. **Standard ABP drainage condition**

9. Prior to commencement of development, proposals for a dwelling numbering scheme and associated signage shall be submitted to the planning authority for agreement.

**Reason:** In the interest of orderly development.

10. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001 as amended, shall not be carried out within the curtilage of the dwellings without a prior grant of planning permission.

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

11. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to the Board for determination.

**Reason:** To ensure the satisfactory completion of the development.

12. 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. 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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:** 01/05/2019

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Terry Ó Niadh