



An
Bord
Pleanála

Board Direction
BD-004254-19
ABP-304498-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/10/2019.

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 provisions of the Dublin City Development Plan 2016-2022 and the zoning for residential purposes, to the location of the site in an established residential conservation area and to the nature, form, scale and design 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 or visual amenities of the area. The proposed development 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, 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. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

3. Prior to commencement of development the applicant shall submit revised plans for the written agreement of the planning authority. These plans shall incorporate the following revisions:

- (a) The front door and window design and proportions in the front elevation shall be revised to those of the original design and character of the terrace of which the proposed house forms a part.
- (b) The proposed kitchen and bedroom element to the rear of the main building line shall be reduced in width by 800mm and the internal room will be provided with an external window.
- (c) Bedroom 3 on the first floor shall be used as a store room or study only.
- (d) The proposed chimney location and external design shall match those existing in the terrace.

Reason: To protect the streetscape character in an area of conservation value, to ensure an adequate standard of development and in the interest of sustainable housing.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule

2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

5. The existing vehicular entrance shall be permanently maintained for the joint use of the existing and proposed dwellings on site with each dwelling having one car park space while retaining the plot division through landscaping and boundary treatment. Details of these measures including any alterations to the footpath shall be in accordance with the requirements of the planning authority. Details of the car parking, landscaping and materials to be used together with repositioning of utilities/street lighting shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of safety and visual amenity

6. The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

8. 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: 11/10/2019

Michelle Fagan