



An
Bord
Pleanála

Board Direction
BD-003895-19
ABP-304594-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/08/2019.

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 Dublin City Development Plan 2016-2022 according to which the site is within an area subject to the zoning objective Z1: "*To protect, provide for and improve residential amenities*";
- to the provisions of the *Sustainable Urban Housing - Design Standards for New Apartments – Guidelines for Planning Authorities*, issued by the Department of the Environment, Community and Local Government in in 2018, and,
- to the extant planning history for the site,

It is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities, historic architectural character and established pattern and layout of existing development and the residential amenities of property in the vicinity, the proposed development, would be acceptable in terms of pedestrian and traffic safety and convenience and 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 lodged with the planning authority on 12th April, 2019 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. The following requirements shall be provided for and adhered to in the development:
 - (1) Obscure glazing screens to a minimum height of 1.8 metres shall be erected and maintained in position along the east facing sides of the first-floor balcony and second floor terrace.
 - (2) Access to the sedum roofs shall be restricted to access for maintenance purposes only.

Revised drawings shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development.

Reason: In the interests of clarity and the protection of the residential amenities of the rear gardens of the properties on Mount Pleasant Square on the east side of Lower Mount Pleasant Avenue.

3. Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Sample panels shall be erected on site for inspection by the planning authority in this regard.

Reason: In the interest of visual amenity.

4. Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours 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. 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.

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 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.

Plus: Planning Authority conditions 5(a) and 5(b) + “Revised drawings shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development”

Reason: As per PA.

Board Member

Date: 28/08/2019

Terry Ó Niadh