



An
Bord
Pleanála

Board Direction
BD-004346-19
ABP-304811-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2019.

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 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. 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 order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling and in the interest of the amenities of the area.

3. STD Materials and finishes condition

Reason: In the interest of visual amenity.

4. The development hereby permitted shall be carried out and completed at least to the construction standards as required by Transport Infrastructure Ireland and as set out in Dublin City Council's Dublin Port Tunnel Guidance Notes March 2009. In this regard a structural engineer shall submit a development assessment for prior written agreement with planning authority.

Reason: To protect the structural integrity of Dublin Port Tunnel.

5. A singular vehicular entrance of no more than 3m in width 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, wall/gate piers and boundary 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. All such works facilitating the development shall be at the expense of the developer.

Reason: In the interest of safety and visual amenity

6. The 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.

Note : In deciding not to accept the recommendation of the inspectors with regard to design amendments to the proposed development the Board was satisfied that the dwelling was acceptable in terms of the residential amenities of future occupants and would not have a negative effect to on the amenities of the area

Board Member

Date: 23/10/2019

Paul Hyde