



An
Bord
Pleanála

Board Direction
BD-004756-19
ABP-305793-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/12/2019.

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 site location within a long established inner city residential area, to the site configuration, the existing building on the site and scale, design and extent of modifications and extensions proposed, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the properties in the vicinity by reason of overlooking, would not adversely affect the architectural character and integrity the existing dwelling or the streetscape within the area which is subject to the zoning objective, Z2 as a Residential Conservation Area in the Dublin City Development Plan, 2016-2022, would not seriously injure the attainable residential amenities for the future occupants, would not depreciate the value of properties in the vicinity 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 lodged with the application except as may otherwise be required 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.

Reason: In the interest of clarity.

2. The first floor south facing elevation window for a study shall be fitted with opaque glazing .

Prior to the commencement of development, the applicant shall submit and agree in writing with the planning authority revised plan, section and elevation drawings for this amendment.

Reason: To protect the amenities of the properties in the vicinity.

3. Water supply and drainage arrangements, including the 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.

4. Details of materials, colours and textures of all external finishes shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

5. Hours of construction shall be confined to the hours of 0800 and 1900 Mondays to Fridays excluding bank holidays and 0800 hrs and 1400 hrs on Saturdays only. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

6. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

Notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

Employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

Provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

7. The developer shall pay to the planning authority a financial contribution of in respect of public infrastructure and facilities benefiting development in 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 in respect of the retail unit only and 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. The application of any indexation required by this condition 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.

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: 13/12/2019

Paul Hyde