



An
Bord
Pleanála

Board Direction
BD-006254-20
ABP-307113-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/08/2020.

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 South Dublin County Council Development Plan 2016-2022, the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 and the National Planning Framework, and the nature and scale of the development, it is considered that, subject to compliance with the conditions set out below, the development would not result in an excessive density at this location, would result in a satisfactory standard of residential amenity for future occupants and would not seriously injure the amenities of the area or property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 28th day of

February 2020 and by the further plans and particulars received by An Bord Pleanála on the 23rd day of April 2020, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the relevant terms and conditions of the permission granted under planning register reference number ABP-301369-18, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The boundary treatment fronting onto the Monastery Road shall comprise a 1-metre high iron railing on top of a 200mm high granite plinth, as required under the parent permission.

Reason: In the interest of clarity.

4. Floor plan and elevation drawings of the bin store structure shall be submitted to, and agreed in writing with, the planning authority within eight weeks of the date of grant of this permission.

Reason: In the interest of clarity.

5. Within eight weeks of the date of grant of this permission, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and

section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 within eight weeks of the date of grant of this permission 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.

Board Member

Date: 14/08/2020

Dave Walsh