



An  
Bord  
Pleanála

**Board Direction**  
**BD-007220-20**  
**ABP-307405-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/12/2020.

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 architectural design and massing of the proposed development and the pattern of development in the area and the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with the existing built development in the area, would not seriously injure the residential amenity of adjacent properties and would not detract from the character or setting of Lanesville. 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. The proposed development shall be modified as follows:

The front curtilage and vehicular entrances, which shall be no more than 3.2m in width, shall be provided with a boundary wall and piers in keeping with the proposed and adjacent development

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Details including samples of the materials, colours and textures of all the external finishes to the proposed building, including those as modified at condition number 2 above, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. 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.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise

and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of traffic safety and to protect the amenities of the area.

6. 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: To protect the amenities of the area.

7. 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.

8. (a) Two number car parking spaces shall be provided within the overall site. The layout of these spaces including the access and boundary arrangement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(b) The footpath in front of the proposed vehicular entrances shall be dishd at the road junction(s) in accordance with the requirements of the planning authority and at the developer's own expense.

Reason: In the interest of traffic safety, orderly development and to ensure that adequate off-street parking provision is available to serve the proposed development.

9. 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.

10. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of road/footpath works necessary in the safe provision of the proposed entrances. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

**Note:** In not agreeing with the inspector's recommendation to modify unit 2, the Board had regard to the orientation of the proposed development, the nature of the site, and to the daylight and sunlight analysis submitted with the application, and considered that the proposed development would not seriously injure the residential amenity of adjacent properties.

**Board Member**

**Date:** 18/12/2020

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Michelle Fagan