



An  
Bord  
Pleanála

**Board Direction**  
**BD-008327-21**  
**ABP-309376-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/05/2021.

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 South Dublin County Council Development Plan, 2016-2022 according to which the site is located within an area subject to the zoning objective, RES: *'to protect and or improve the residential amenity'* it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining or the visual amenities of the area, would not endanger public safety by reason of traffic hazard, would not be prejudicial to public health, would not set undesirable precedent 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, 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 first-floor east elevation window shall be fitted with opaque glazing and shall not be non openable. Prior to the commencement of the development the applicant shall submit and agree in writing with the planning authority, revised plan, and elevation drawings.

**Reason:** In the interest of the residential amenities of adjoining property.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping which shall be submitted and agreed in writing with the planning authority. It shall include:

- Full survey detail of all existing trees with proposal for removal retention and replacement and protection during the construction stage.
- A full works specification for hard and soft landscaping and a detailed planting scheme which includes water absorbing plants that contribute to absorption of surface water emanating within the site.
- Any plants which die, are removed or become seriously damaged or diseased, following the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.



**Reason:** In the interest of visual and residential amenity and orderly development.

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 which shall include the following: Prior to the commencement of the development the applicant shall submit and agree with the planning authority; Details of surface water calculations for the proposed discharge (Qbar) rates and a 1:100 year attenuation volumes in compliance with the *Greater Dublin Strategic Drainage Study (GDSDS) Volume 2, New Development*. Values for Standard Average Annual Rainfall (SAAR) and for Standard Percentage Ratio (SPR) used for Qbar calculations shall be included. The submission shall include a revised surface water layout with details of these requirements.

**Reason:** In the interest of public health and clarity.

6. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

**Reason:** In the interest of public health.

7. The front curtilage space shall not be subdivided and the proposed parking spaces and vehicular entrance shall be communal and shall serve the existing dwelling at No 16 Muckross Park and the proposed dwelling on a shared basis.

The boundary walls at the access points shall not exceed 0.9 metres and pillars and caps shall not exceed 1.2 metres in height. Gates shall be inward opening only.



The footpath and kerb shall be dished and widened and the dropped crossing shall be constructed at the applicant's expense to the satisfaction of the planning authority.

**Reason:** In the interest of public safety and the visual amenities of the area.

8. 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.

9. 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.

10. 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.

**Board Member**



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Michelle Fagan

**Date:** 28/05/2021



