

An
Bord
Pleanála

Board Direction
BD-008961-21
ABP-309536-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/08/2021.

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 zoning objective for the area, the existing pattern of development in the area, and to the relevant provisions of the Dublin City Development Plan 2016-2022 including policy regarding backland development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area or the residential amenity of the property in the vicinity, would provide a suitable level of amenity for future occupants of the residential unit, would be acceptable in terms of traffic safety and convenience and 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 and Further Information received on 4th January, 2021, 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 the 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. Obscure glazing shall be provided in all west facing windows at first floor level.

Reason: In the interests of residential amenity.

3. The Developer shall comply with the following requirements:
 - a) The vehicular entrance shall not exceed 3.5 metres in width.
 - b) The pedestrian and vehicular entrances shall not have outward opening gates.
 - c) The applicant/developer shall liaise with the relevant utility providers to ascertain their requirements if the existing electricity column requires relocation. Any costs incurred shall be at the applicant/developer's own expense.
 - d) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: To ensure a satisfactory standard of development

4. A scheme of landscaping for the site shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
 - a) Proposals for the planting and location of native tree species to screen the southern boundary of the site; and
 - b) Proposals for the protection of existing trees, including the root systems of trees located along the southern and eastern boundaries and on lands along the northern (front) boundary of the site that may be encountered during site works.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

5. The materials, colours and textures of all the external finishes to the proposed house shall be submitted to and agreed in writing with the planning authority before the commencement of development.

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

6. The existing garage/shed shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses or for any use other than as a use incidental to the enjoyment of the dwelling house as such, unless authorised by a prior grant of Planning Permission.

Reason: In the interests of residential amenity.

7. Prior to the commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

8. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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.

9. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located

underground. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

11. 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 the commencement of development. This plan shall provide details of intended construction practice for the development, noise management measures and off-site disposal of construction/demolition waste.

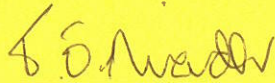
Reason: In the interests of public safety and residential amenity.

12. 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.

Plus, Planning Authority conditions 8 and 11

Board Member



Terry Ó Niadh

Date: 24/08/2021

