



An
Bord
Pleanála

Board Direction
BD-009607-21
ABP-310488-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/12/2021.

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 land use zoning designations of the site in the Dublin City Development Plan 2016 to 2022 which seek to protect and improve the residential amenity of the area, the pattern of residential development on Terenure Road West, the nature, scale and design of the proposed development, the relatively large application site and subject to compliance with the conditions set out below, it is considered that, the proposed development would be in accordance with the pattern of development in the area and would not seriously injure the amenity of adjoining residential property by reason of overlooking or overshadowing, 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 east and west facing windows at first floor level serving the master bedroom shall be fitted with obscure lazing and maintained as such permanently.

Reason: In the interest of residential amenity.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health.

4. The developer shall enter into water supply and wastewater connection agreements with Irish Water.

Reason: In the interests of public health.

5. The external finishes of the proposed development shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out only between the hours of 07.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

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

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

8. 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


Michelle Fagan

Date: 08/12/2021

