

An
Bord
Pleanála

Board Direction
BD-011688-23
ABP-312061-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/01/2023.

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 pattern and character of existing and permitted development in the area, the design and scale of the proposed development, the planning history of the site, and the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in accordance with the zoning objective for the site, would not detract from the visual amenity of the area or the character of the protected structures within and adjoining the site, would provide an acceptable standard of residential amenity for the prospective residents and would not seriously injure the residential amenity of surrounding properties, and would not endanger public safety or convenience by reason of traffic generation or otherwise. 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, as amended by the further plans and particulars received by An Bord Pleanála on the 26th day of

November, 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 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 amended as follows:
 - (a) The two proposed parking spaces and associated hardstanding areas to the south of house no. 12 shall be omitted.
 - (b) The area referred to in (a) above shall be included as part of a larger, landscaped open space with a pedestrian connection to Kilmacud Road Upper.

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 sustainable transportation, residential amenity and visual amenity.

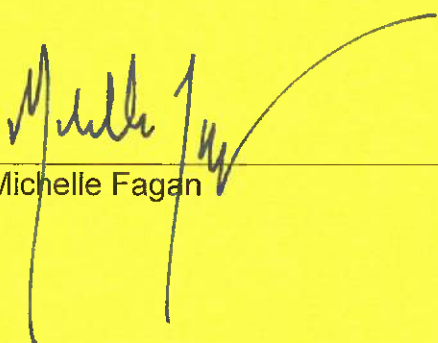
3. Apart from any departures specifically authorised by this permission, which are limited to the area outlined by a broken purple line in the 'proposed site plan' received by An Bord Pleanála on the 26th day of November, 2021, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 22nd day of April, 2021, under appeal reference number ABP-307640-20, planning register reference number D20A/0189, 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.

4. 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: 30/01/2023

