

An  
Bord  
Pleanála

**Board Direction**  
**BD-010306-22**  
**ABP-312164-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/03/2022.

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 Dun Laoghaire Rathdown County Development Plan, 2016-2022 according to which the site location comes within an area subject to the zoning objective A; "to protect and/or improve residential amenity", to the site layout and size, design and form of the proposed dwelling and to the location of the proposed new vehicular entrance providing for onsite carparking at the southern end of the frontage onto Wyvern it is considered, notwithstanding the proximity to a pedestrian entrance to an adjoining school premises, that subject to compliance with the conditions below, the proposed development would not endanger public safety, by reason of traffic hazard 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 following requirements shall be provided for and adhered to in the development:

a One on site car parking space only shall be served by the proposed vehicular entrance at the southern end of the site frontage onto Wyvern

b The existing entrance at the northern end of the site frontage onto Wyvern shall be altered so that is reduced in width to a maximum of 1.2 metres and is used solely as a pedestrian access

Full details shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of clarity, public safety of the local road network for all road users.

3. Site development and building works shall be carried out only 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.



4. 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.

5. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed houses without a prior grant of planning permission.

**Reason:** In the interest of residential amenity, having regard to the restricted configuration and size of the site.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk including in the basement area, shall comply with the requirements of the planning authority for such works and services.

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

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

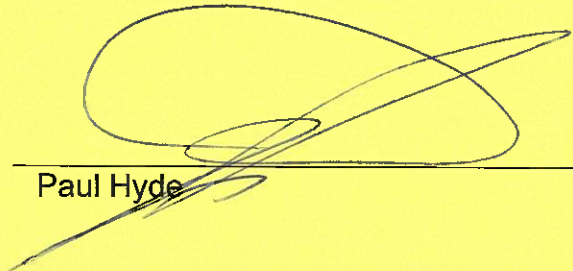
**Reason:** In the interest of public health.

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 an 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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Paul Hyde

**Date:** 16/03/2022