



**An
Bord
Pleanála**

**Board Direction
BD-010800-22
ABP-312698-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/05/2022.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the planning history of the site, to the design, nature and scale of the proposed infill development, to the location of the proposed development within an area with an Objective A zoning which seeks "to protect and or improve residential amenity", and to the relevant policy provisions in relation to new infill development and the densification of existing suburbs as set out in the Dun Laoghaire Rathdown County Development Plan 2022, the Board was satisfied that the proposed development would be in accordance with the provisions of the development plan, would not seriously injure the residential or visual amenities of the area and would provide a satisfactory level of residential amenity for future occupants. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered the totality of the documentation on the file including the assessment by the planning authority and was satisfied that the proposed contemporary dwelling which included a single-storey element along the rear boundary was an appropriate design response for an infill dwelling. Furthermore, the Board considered that the private open space provided to the rear and to the side of the proposed dwelling was satisfactory in terms of its quantum, its orientation and

the privacy afforded it behind the front boundary wall and concluded that the proposed development did not represent overdevelopment of the site and would provide a satisfactory level of residential amenity for further occupants.

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. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, and the drainage arrangements for the green/sedum roof, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

4. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The developer

shall ensure that the width of the proposed new vehicular entrance shall be a maximum of 3.5m in width.

Reason: In the interest of pedestrian safety.

5. If the existing tree/s in the grass verge in front of the proposed new vehicular entrance are affected, they shall be replaced at the Developer's own expense with new tree/s at a location to be agreed with the Parks Section and all to the satisfaction of the Planning Authority. With regards to the new replacement tree/s, the Applicants shall contact the Parks Section to ascertain the required specifications for such works and any required permits

Reason: In the interest of traffic safety.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 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.

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

Reason: In the interest of public health.

9. The in-curtilage car parking space serving the dwelling shall be provided with an electric connection to the exterior of the house to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply 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.

10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

11. 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

Maria FitzGerald

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Date: 31/05/2022

