



An
Bord
Pleanála

Board Direction
BD-013521-23
ABP-313312-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/09/2023.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Amend condition numbers 8 and 9 as follows:

8.	<p>The following conditions of the Transportation Planning Division shall be complied with:</p> <p>a) The vehicular entrance shall not have outward opening gates.</p> <p>b) 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.</p> <p>c) The developer shall be obliged to comply with the requirements set out in the Code of Practice.</p> <p>Reason: In order to ensure a satisfactory standard of development.</p>
9.	<p>The following conditions of the Drainage Division to be complied with:</p> <p>a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).</p> <p>b) Records of public sewers are indicative and must be verified on site.</p>

- c) The drainage for the proposed development shall be designed on a completely separate foul and surface water system with a combined final connection discharging into Irish Water's combined sewer system.
- d) Where it is proposed to connect to an existing private drainage system, the developer must comply with the relevant Building Regulations, obtain permission from all the owners of this private system and satisfy themselves as to the adequacy of the private network. If permission cannot be obtained a new connection to the public sewer must be made.
- e) The development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.
- f) The Developer shall ensure that an appropriate Flood Risk Assessment, in accordance with the OPW Guidelines and the Dublin City Development Plan 2016-2022 Strategic Flood Risk Assessment, is carried out for the proposed development.
- g) The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

Reason: In order to ensure a satisfactory standard of development.

Reasons and Considerations

Having regard to:

- conditions attached to grants of planning permission in the area that did not contain similar restrictions as per condition 8(b) and 9(h),
- existing developments in the area that contain eave overhangs similar to that proposed and
- downpipes and gullies that already exist on the public land,

The Board considered that conditions 8(b) and 9(h) were unnecessary and unwarranted.

Board Member:



Tom Rabbette

Date: 05/09/2023

