

An
Bord
Pleanála

Board Direction
BD-014446-23
ABP-315103-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/11/2023.

The Board, having regard to the nature and scale of the proposed development, considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required.

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 grounds of appeal, the residential zoning objective and the accessible location of the development site (Figure Core Strategy Map of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 - Dublin & Suburbs designation — Urban) proximate to high frequency public transport and, the policy framework provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, which inter alia encourages small scale infill residential development and requires 100% of all new homes pertaining to Dublin City and Suburbs to be provided within or contiguous to its geographic boundary, it is considered that the proposed development would provide a reasonable level of residential amenity, would not have an adverse impact on existing residential amenities and would be consistent with the proper planning and sustainable development of the area.

Conditions

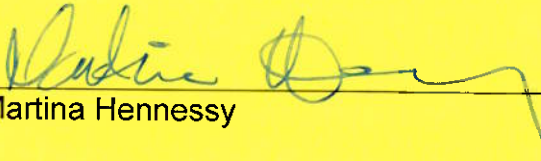
1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 15 day of November 2021 , as amended by the further plans and particulars submitted on the 26 day of September 2022, and by the further plans and particulars received by An Bord Pleanála on the 15 day of November 2022, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) the gable windows in House 1 (north-west elevation) on the ground floor shall be omitted or relocated not to directly face the gable window in House 2.</p> <p>Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: in the interests of residential amenity</p>

3.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
4.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>The developer shall adhere to the recommendations of the Transportation Department of the Planning Authority.</p> <p>Reason: In the interest of road safety and in the interest of orderly development.</p>
6.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
7.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interest of public health.</p>

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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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


Martina Hennessy

Date: 03/11/2023