

**An
Bord
Pleanála**

**Board Direction
BD-015113-24
ABP-315279-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/01/2024.

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 residential zoning objective, the pattern of development in the area, comprising predominantly single-family dwellings, the grounds of appeal, the applicant's response and the Dublin City Development Plan 2022-2028 Policy framework, it is considered that, subject to compliance with the conditions set out below, the proposed development is a reasonable improvement of the accommodation on site, including the provision of an ancillary family apartment to support the independent living of a family member, would positively impact on the Eglinton Road Conservation area, in terms of sensitive contemporary design infill development and would otherwise accord with the proper planning and sustainable development of the area.

Conditions

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| 1 | <p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the further plans and particulars received by An Bord Pleanála on the 12th day of January 2023, 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>A survey of the building proposed for demolition shall be carried out and shall be submitted to the planning authority prior to commencement of development. A photographic survey shall be prepared in accordance with the requirements of the planning authority.</p> <p>Reason: In order to provide a record of the house to be demolished.</p> |
| 3. | <p>Details including samples of the materials, colours and textures of all the external finishes to the proposed dwelling house shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development including:</p> <ul style="list-style-type: none">(i) The clay brick and bonding;(ii) The bronze metal cladding;(iii) The patinated bronze finish steel window frames;(iv) The proposed perforated metal screen to the western elevation. <p>Reason: In the interest of the visual amenities of the area</p> |

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| 4. | <p>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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p> |
| 5. | <p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority.</p> <p>Reason: In the interest of public health.</p> |
| 6. | <p>The applicant shall comply with the following car parking and vehicular access requirements to include:</p> <ul style="list-style-type: none"> (i) The vehicular entrance shall be retained in the existing location and shall have a maximum width to 2.7 metres; (ii) The number of car parking spaces shall be restricted to 2 number car parking spaces; (iii) The car parking spaces shall have installed appropriate electric vehicle recharging infrastructure to enable the subsequent installation of recharging points for electric vehicles. (iv) Any other requirements of the Planning Authority Transportation Division. <p>Reason: In the interest of residential amenity, road safety and orderly development.</p> |

7. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include a survey of all existing trees and hedging plants on the site, their variety, size, age and condition, together with proposals for their conservation or removal.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity


8. The proposed ancillary family accommodation (62 sqm. apartment) shall be jointly occupied as a single residential unit and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To protect the amenities of property in the vicinity.

9. 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: 18/01/2024