



An
Bord
Pleanála

Board Direction
BD-012405-23
ABP-315717-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/06/2023.

The Board decided to adopt the conclusions of the appropriate assessment findings of the planning authority and 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 provisions of the Dublin City Development Plan 2022-2028 and to the nature, scale and orientation of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the current Development Plan for the area, would not seriously injure the residential or visual amenities of the area, and would therefore 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, as amended by the further plans and particulars received on the 6th day of December 2022 and by the further plans and particulars received by An Bord Pleanála on the 6th day of March 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.

Reason: In the interest of clarity.

2. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division, and the Noise and Air Pollution Section of the planning authority.

Reason: To ensure a satisfactory standard of development.

3. The developer shall comply with the following requirements of the Transportation Planning Division of the planning authority:

a) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

b) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: To ensure a satisfactory standard of development.

4. The developer shall comply with the following requirements of the Drainage Division of the planning authority:

a. The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

b. 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.

c. 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 of the planning authority prior to commencement of construction.

- d. Developer shall furnish to the planning authority a Letter from Irish Water confirming agreement /permission on the applicants proposals prior to commencement of any construction/conversion work.
- e. 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.
- f. All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.
- g. Any new paving shall be carried out in a sustainable manner so that there is no increase in surface water run-off to the drainage network as per the Dublin City Development Plan 2022-2028.

Reason: To ensure a satisfactory standard of development.

- 5. a) The site and building works required to implement the development shall only be carried out between the hours of: Mondays to Fridays - 7.00am to 6.00pm
Saturday - 8.00 a.m. to 2.00pm
Sundays and Public Holidays - No activity on site.
b) Deviation from these times will only be allowed where a written request with compelling reasons for the proposed deviation has been submitted and approval has been issued by the planning authority. Any such approval may be subject to conditions pertaining to the particular circumstances being set by the planning authority.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

- 6. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 ' Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

7. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

8. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Traffic Management Plan (TMP) for the construction phase of the development for the written agreement of the planning authority. The agreed TMP shall be implemented in full during the course of construction of the development.

Reason: In the interest of sustainable transport and safety.

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, 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

Eamonn James Kelly
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Date: 13/06/2023

