



An
Bord
Pleanála

Board Direction
BD-013376-23
ABP-316447-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/08/2023.

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 zoning objective for the area as set out in the Dublin City Development Plan 2022 - 2028, the Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities (2008) and accompanying best practice Urban Design Manual, the location of the appeal site, the established pattern of residential development in the area and the overall design and scale of the development proposed, it is considered that, subject to compliance with the conditions set out below the proposed development would not be out of character with existing development in the area, would not seriously injure the visual or residential amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety. The proposed development 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 on 19th July 2022 as amended by the further plans and particulars submitted on the 16th 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. Details of the materials, colours and textures of all the external finishes of the proposed development 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. Details of the boundary wall to the front, side and rear shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity

4. The proposed development shall be amended as follows:

- a. The 1 no. car parking space proposed for House B shall be omitted and a dividing wall constructed between the front gardens of House A and House B. The proposed shared vehicular access to the two new dwellings shall be amended accordingly to facilitate 1 no. car parking space and vehicular access to House A only. For clarity, there shall be a total of two parking spaces only i.e., one for No.51 Dundard Drive and one for House A.
- b. A pedestrian entrance gate, with inward opening gates, shall be provided along the front boundary wall of House B.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interests of traffic and pedestrian safety and to protect residential amenity

5. The applicant shall comply with the following requirements of the Transportation Planning Division of Dublin City Council:
- a. Driveway entrances shall both be a maximum of 3.0 m in width and shall not have outward opening gates.
 - b. Footpath and kerb to be dished and new entrances provided to the requirements of the Area Engineer, Roads Maintenance Division.
 - c. 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.
 - d. 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.

6. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. The developer shall enter into water and wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

8. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

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.

9. Prior to commencement of development, the applicant shall enter into an agreement with the Planning Authority under Section 96 of the Planning & Development Act 2000 (as substituted by Section 3 of the Planning & Development Amendment Act 2002) in relation to the provision of social and affordable housing, in accordance with the Planning Authority's Housing Strategy unless the applicant has applied for and been granted an Exemption Certificate under Section 97 of the Planning & Development Act 2000 - 2010 (as amended).

Reason: To comply with the requirements of Part V of the Planning & Development Act 2000 -2010.

Board Member


Stephen Bohan

Date: 23/08/2023