

An  
Bord  
Pleanála

**Board Direction**  
**BD-015713-24**  
**ABP-317313-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/02/2024.

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 provisions of the South Dublin County Council Development Plan 2022-2028, the pattern of development in the area, the nature and scale of the development to be retained and the RES zoning objectives for the site, it is considered that, subject to compliance with the conditions set out below, the development to be would not seriously injure the visual or residential amenities of the area, would not result in a traffic hazard and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development to be retained shall be completed in accordance with the plans and particulars lodged with the application, 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.

2.

Reason: In the interest of clarity.

2. The development to be retained shall be amended as follows:

- (a) The boundary wall to Waterstown Avenue shall be reduced to 0.9m from the southwest most point of the external boundary wall of the utility to the entrance.
- (b) The entrance piers and any gate shall not exceed 1.2m in height
- (c) The entrance shall not exceed 3.5m in width.
- (d) The entrance driveway and dishing of kerb to the road edge serving the development to be retained shall comply with the detailed requirements of the planning authority for such works.
- (e) The existing wooden fence to the southern boundary shall be removed. This boundary elevation shall be agree with the planning authority, while ensuring adequate visibility remains from the entrance of the property with Eircode D20 AC84.
- (f) Standard landscape condition to be added re agreeing same with local authority

Revised drawings and proposals showing compliance with these requirements shall be submitted to, for agreement in writing with, the planning authority. All works to the site shall be completed within 6 months of the date of this order unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of road safety.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place, without a prior grant of planning permission.

Reason: In order to ensure compliance with the temporary and limited nature of this planning permission and in the interests of the proper planning and sustainable development of the area.

4. 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

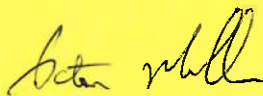
Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. 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 within three months of the date of this Order 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**



**Date:** 04/03/2024

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Peter Mullan