



An
Bord
Pleanála

Board Direction
BD-015592-24
ABP-317552-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/02/2024.

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 nature, scale and design of the proposed development, and to its location in an area zoned Z2 residential neighbourhood (Conservation areas) in the Dublin City Development Plan 2022-2028 for which the land use zoning objective is to protect and/or improve the amenities of residential conservation areas, it is considered that the proposed development, subject to compliance with the conditions set out below, would be an acceptable form of development, would protect the special interest, character and amenities of the area, would be consistent with the land use zoning objective for the area and the provisions of Policy BHA9 (Conservation areas) as set out in the Development Plan, would not seriously injure the residential amenities of the area and would, therefore, be in accordance with the Development Plan and 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, 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 front porch canopy and supporting structure shall be omitted from the development.

Reason: In the interests of visual amenities and the architectural conservation of the area.

3. Capped and rendered screen walls, to a height of 1.8 metres from the rear terrace finished floor level, shall be provided for the length of the proposed rear terrace along the party boundaries of numbers 55 and 59 Anglesea Road.

Reason: In the interests of residential amenity and privacy.

4. The requirements of the transportation planning division of the planning authority shall be complied with. The driveway entrance shall be at most three metres in width and shall not have outward-opening gates. The kerb shall be ramped, and the new entrance provided, in accordance with the requirements of the area engineer of the roads maintenance division of Dublin City Council. All related costs incurred by the City Council as a result of the development shall be at the expense of the developer.

Reason: In the interest of traffic and pedestrian safety.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, air quality, and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. Drainage arrangements for the site, including the attenuation and disposal of surface and soiled water, shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

7. 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

Patricia Calleary

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Date: 28/02/2024