



An  
Bord  
Pleanála

**Board Direction**  
**BD-016316-24**  
**ABP-318056-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/05/2024.

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 nature of the development proposed to be retained and the proposed development, the design and layout of the existing and proposed access to the site, the zoning of the site for residential development, the design and layout and the landscaping of the proposed development, it is considered that subject to the conditions set out below, the proposed development would be acceptable and in accordance with the provisions of the Dublin City Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlements Guidelines and the Quality Housing for Sustainable Communities Guidelines. The proposed development would not negatively impact on residential amenity or give rise to negative impacts on drainage or traffic safety and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1.	<p>The development shall be carried out and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted in response to a Further Information Request on the 2<sup>nd</sup> day of August 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><b>Reason: In the interest of clarity.</b></p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The proposed bathroom window on the rear elevation shall be glazed with obscure glass.</p> <p>(b) The originally proposed window to the south gable of the proposed dwelling serving the proposed bedroom shall be implemented, instead of a high level window as proposed in response to the request for Further Information submitted to the Planning Authority on the 2<sup>nd</sup> August 2023.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason: In the interests of visual and residential amenity.</b></p>
3.	<p>The rear garden party boundary (shown on site plan 2018-LS) between the existing house and the proposed house shall be 1.8 m in height and similar in finish to the fence shown on drawing reference number 2018-LS, dated 20/07/2023.</p> <p>The front boundary (shown on site plan 2018-LS) separating the front garden areas of the existing dwelling and the proposed dwelling shall be no greater than 1.2m in height, this shall be a capped and plastered wall.</p> <p><b>Reason: In the interest of clarity</b></p>

4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason: In the interest of visual amenity.</b></p>
5.	<p>The proposed dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.</p> <p><b>Reason: In the interests of orderly development.</b></p>
6.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p><b>Reason: In the interests of sustainable waste management.</b></p>
7.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.</p> <p><b>Reason: In the interest of public health.</b></p>
8.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services and shall be agreed in writing with the planning authority prior to the commencement of development.</p> <p><b>Reason: In the interest of public health.</b></p>
9.	<p>(a) All foul sewage and soiled water shall be discharged to the public foul sewer.</p>



	<p>(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.</p> <p><b>Reason: In the interest of public health.</b></p>
10.	<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.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason: In order to safeguard the residential amenities of property in the vicinity.</b></p>
11.	<p>Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential developments.</b></p>
12.	<p>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 and off-site disposal of construction/demolition waste.</p> <p><b>Reason: In the interests of public safety and residential amenity.</b></p>
13.	<p>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</p>

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

  
Mary Henchy

Date: 15/05/2024