



An
Bord
Pleanála

Board Direction
BD-016714-24
ABP-318253-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/06/2024.

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 existing pattern of development in the area and to the infill nature of the development, to the location of the site within a 50 kilometre per hour speed limit zone and to the provisions of the Dún Laoghaire-Rathdown Development Plan 2022-2028, it is considered that the proposed development, subject to compliance with the conditions as set out below, would not would endanger public safety by reason of traffic hazard and would represent an appropriate design response to a serviced infill site and not have an adverse impact on the visual or residential amenity of the area. Therefore, the proposed development would 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 submitted on the 22 nd day of August 2023 and by the further plans and particulars received by An Bord Pleanála on the 10 th day of November 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.	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 and 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.
3.	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. Reason: In the interest of visual amenity.
4.	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. Reason: In the interest of public health.

5.	<p>Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.</p> <p>Reason: In the interest of public health.</p>
6.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works. Reason: In the interests of visual and residential amenity.</p>
7.	<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</p>
	<p>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.</p>

Note : The Board did not share the view of its Inspector that it was necessary to reduce the height of the pitched roof section as this was not considered to detract from the design articulation of the front elevation of the proposed development and would not impact on adjoining residential amenity.

Board Member



Joe Boland

Date: 19/06/2024