



An  
Bord  
Pleanála

**Board Direction**  
**BD-016648-24**  
**ABP-318955-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/06/2024.

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 residential zoning objective, the accessible location of the site serviced by public transport, the urban consolidation policy framework provided by the South Dublin County Development Plan 2022-2028, and national and regional policy objectives and guidelines, including the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), it is considered that, subject to compliance with the conditions set out below, the proposed development would provide a reasonable level of residential accommodation on site, would be consistent with the established pattern of development in the area, would not have a significant adverse impact on the existing residential amenities of adjoining properties, including the amenity of 105 Boot Road, and would, therefore be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The proposed 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 received by the planning authority on the 9<sup>th</sup> day of

November, 2023 and on the 19<sup>th</sup> day of December, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The first-floor window openings in the west side elevation shall be amalgamated to form one high level window opening. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to 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.

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 and surface water management.

5. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

**Reason:** In the interest of public health.

6. The developer shall adhere to the recommendations of the Transportation Department of the planning authority.

**Reason:** In the interest of road safety and in the interest of orderly development.

7. 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 or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

8. 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**



---

Peter Mullan

**Date:** 18/06/2024