

**An
Bord
Pleanála**

**Board Direction
BD-018759-25
ABP-319186-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/01/2025.

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 of the proposed development, its form, scale and design, its separation from adjoining residential properties and protected structures, the constraints of the site and the zoning of the site, 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 Dún Laoghaire-Rathdown County Development Plan 2022-2028, Development Plan Design Standards for New Apartments – Section 28 Guidelines (2023), Architectural Heritage Protection Guidelines for Local Authorities and the Sustainable Residential Development and Compact Settlements Guidelines. The proposed development would not adversely affect the character or setting of neighbouring protected structures (Burdett House, Virginia and Ballygihen Lodge) and would not seriously injure the amenities of the area or of property in the vicinity, and would therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and retained in accordance with the plans and particulars lodged with the application on the 8th 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- (a) Provision of no less than 2 no. secure internal cycle parking spaces within the ground floor area.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of cycle parking and residential amenity.

3. The entire unit shall be used as a single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units.

Reason: In the interests of residential amenity.

4. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue-black, black, dark brown or dark grey in colour only. The brick colour to be used shall be the same as that used in the existing ground floor unit.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

6. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. Site development and building works shall be carried out between the hours of [0700 to 1900] Mondays to Fridays inclusive, between [0800 to 1400] on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

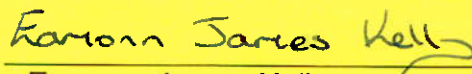
8. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

9. 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


Eamonn James Kelly

Date: 28/01/2025