



An  
Bord  
Pleanála

**Board Direction**  
**BD-018625-25**  
**ABP-320576-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/01/2025.

The Board decided by majority (2:1) 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, scale, location and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development would comply with the 'Objective A' zoning for the site, Section 12.3.7.5: Corner/Side Garden Sites, as set out in the Dún Laoghaire-Rathdown Development Plan 2022 – 2028, would not seriously injure the visual or residential amenity of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out 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 and the development shall be retained in accordance with the agreed particulars.

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

2. (a) Prior to commencement of development, the developer shall submit details for the written agreement of the Planning Authority which comply with the following:

- i. The proposed access shall be recessed by a minimum of 1.0 metre with concave bell mouth shaped entrance, with walls and piers. Any gates shall open inwards.
- ii. The proposed access shall not exceed 3.5 metres in width inside the splayed entrance.

(b) Development shall not commence without the prior written agreement of the Planning Authority and shall there after only be authorised to commence in accordance with the agreed plans.

**Reason:** In the interest of pedestrian and traffic safety.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. 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 interests of sustainable drainage.

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

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

6. The tree works and protection measures shall be implemented and retained throughout the construction period in accordance with the approved recommendations detailed within the Arboricultural Assessment & Impact Report by CMK Hort + Arb Ltd, received 31<sup>st</sup> May 2024. No tree removal shall be permitted to occur during the period of 1<sup>st</sup> March – 31<sup>st</sup> August, unless otherwise agreed in writing with the Planning Authority.

**Reason:** In the interest of visual amenity and to protect trees and planting during the construction period.

7. The site development and building works required to implement the development shall be carried out only between the hours of 0800 to 1900 Monday to Fridays, between 0800 to 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 adjoining 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.

9. **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**

  
Declan Moore

**Date:** 13/01/2025