



An
Bord
Pleanála

Board Direction
BD-019165-25
ABP-321337-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/03/2025.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the Objective "A" zoning of the site, Section 12.3.7.9 (Mews Lane Development), Section 12.3.7.7 (Infill) and Section 12.3.7.6 (Backland Development) of the Dun Laoghaire Rathdown County Development Plan 2022-2028, and the scale and design of the proposed development, the Board considered that subject to compliance with the conditions below, the development would not detract from the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not accept that the proposed development would be piecemeal and disorderly, and the Board agreed with the planning authority that the proposed development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent 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 received by the planning authority on the 7th day of October 2024, 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 to omit the proposed vehicular parking area and to include secure and covered resident cycle parking spaces for the proposed development. 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 traffic safety and residential amenity.

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

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 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.

6. 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.

Reason: In the interests of visual and [residential] amenity.

7. Site development and building works shall be carried out between the hours of 07:00 to 19:00 Mondays to Fridays inclusive, between 08:00 to 14:00 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 road signage warning the public of the entrance and proposals for traffic management at

the site entrance, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of traffic safety, 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.

Note:

The Board noted from the observations of the Transportation Planning division of the planning authority, that in the absence of any provision in the submitted plans for secure and covered cycle parking, the proposal resulted in a 5.35 metres length/depth of the proposed car parking area at its midpoint, which is less than the minimum car parking space length of 5.5 metres depth, with minimum width of 3 metres, in accordance with the County Development Plan, Section 12.4.8.1, General Specifications. Furthermore, the Board was not satisfied with the proposed vehicular

use of the access laneway in close proximity to an educational facility, having regard to the observations of the Transportation Planning division of the planning authority that the height of the laneway walls at the entrance onto the adjacent footpath on St Columbanus Road, are greater than the 1.1 metre car driver eye height and given that the sightlines produced in drawing number 2209.02.13, would be conditional on maintaining clear sightlines across property outside of the control of the developer. Furthermore, having regard to the location of the site, close to several public transport options, and mindful of Policy Objective PHP4 of the Dun Laoghaire Rathdown County Development Plan 2022-2028 which focusses on reducing the need to travel by private car, the Board considered the proposed development to be acceptable subject to the omission of the proposed vehicular parking area.

Board Member



MaryRose McGovern

Date: 11/03/2025