

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2093/16

An Bord Pleanála Reference Number: PL 29S.246411

APPEAL by Hampton Court Limited care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 11th day of March, 2016 by Dublin City Council to grant subject to conditions a permission to Thula Capital Limited care of O'Carroll O'Riordan Architects of 1 Fortfield Terrace, Rathmines, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The demolition of the existing industrial unit and the construction of a two storey house (420 square metres) with two number off street car parking spaces at The Stores, Bushfield Avenue, Donnybrook, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the zoning objective of the site Z1 Sustainable Residential Neighbourhoods which is 'to protect, provide and improve residential amenities', to the provisions of the Dublin City Development Plan 2011-2017, to the nature and scale of the existing building which it is proposed to replace, to the pattern of development in the area and to the nature and extent of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of residential 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 completed 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 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.
 - (a) A public footpath, to the standard agreed with the planning authority, shall be provided at the developer's expense along the front boundary of the site.
 - (b) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development shall be at the expense of the developer.
 - (c) A construction management plan, including making provision for intended construction practice, traffic management, noise management and off-site disposal of demolition and construction waste shall be submitted for the written agreement of the planning authority prior to the commencement of development.

Reason: To ensure a satisfactory standard of development and in the interest of road safety.

3. Water supply and drainage arrangements, including the provision of separate foul and surface water systems up to a combined final connection discharging to the public combined sewer and the incorporation of Sustainable Drainage Systems in the management of stormwater, shall comply with the requirements of the planning authority for such works and services and shall be subject to the prior written agreement of the planning authority.

Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 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 property in the vicinity.

5. During construction and demolition phases, the proposed development shall comply with British Standard 5228 "Noise Control on Construction and Open Sites Part 1. Code of practice for basic information and procedures on noise control."

Reason: In order to ensure a satisfactory standard of development in the interest of residential amenity.

6. The naming/numbering of the house shall be submitted to, and agreed in writing with, the planning authority prior to first occupation of the proposed house.

Reason: In the interest of orderly development.

7. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.