

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D15A/0860

An Bord Pleanála Reference Number: PL 06D.246607

APPEAL by Nathalie Desbiens of 10 Greenfield Park, Donnybrook, Dublin and by Nutley Square Management Company c/c care of Downey Planning of 1 Westland Square, Pearse Street, Dublin against the decision made on the 20th day of April, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Purleigh Holdings Limited care of de Blacam and Meagher Architects of 4 Saint Catherine's Lane West, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Widening of existing vehicular entrance and roadway from Greenfield Park including the provision of pedestrian footpath and public lighting at Greenfield, Lands of Greenfield Park, 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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to the design, nature and extent of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, and would not seriously injure the visual or residential amenities of the area. It is, therefore, considered that the proposed development would 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, as amended by the further plans particulars submitted on the 24th day of March, 2016 and by the particulars received by An Bord Pleanála on the 13th day of June, 2016, 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 design of the access road serving the proposed development including junctions, footpaths and kerbs (including dishing and tactile paving) shall comply with the detailed standards of the planning authority for such road works.

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

3. The design, layout and materials of construction of the junction of the proposed access road with Greenfield Park shall comply with the detailed requirements of the planning authority. Prior to commencement of development, detailed plans and particulars showing compliance with this condition shall be submitted to, and agreed in writing with, the planning authority.

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

4. There shall be no parking or outward opening gates on the access road hereby permitted. The access road and the access to the proposed development site shall not be gated. The separate pedestrian route to the UCD lads to the south of the site shall be retained.

Reason: In the interests of traffic safety and residential amenity.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating;
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

6. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Light spillage into the adjoining residential neighbourhood shall not be permitted and details submitted shall include how night time intrusion is to be prevented.

The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.

Reason: In the interest of public safety and residential amenity

7. 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.

8. 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 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.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

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

Dated this day of 2016.