

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dún Laoghaire-Rathdown County

Planning Register Reference Number: D16A/0503

An Bord Pleanála Reference Number: PL 06D.247309

APPEAL by Serbeam Limited care of O'Mahony Pike Architects Limited of The Chapel, Mount Saint Anne's, Milltown, Dublin against the decision made on the 31st day of August, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: Demolition of existing buildings (previous school including an unoccupied caretaker's flat); construction of four number semi-detached dwellings including three number A type (five Bed = 202 square metres) with associated vehicular entrances off Adelaide Road, one number A1 type (five Bed = 212.5 square metres) with associated vehicular entrance off Eden Road Lower, and all associated site works including new boundary treatments, gates and connections to public foul and surface water sewers on a site of 0.117 hectares at junction of Adelaide Road and Eden Road Lower, Glasthule, Dun Laoghaire, County Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, 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 pattern of development in the vicinity of the site and to the nature and extent of the proposed development, as amended and revised during the appeal, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with the provisions of the development plan, would represent an appropriate design response to the subject site and its context, and would not seriously injure the residential or visual amenities of the area. The proposed development 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, as amended by the further plans and particulars received by An Bord Pleanála on the 26th day of September 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. A full architectural survey, including archive standard drawings and a photographic survey, of the former school proposed for demolition shall be carried out by the developer as his/her expense, in accordance with the requirements of the planning authority, and copies shall be deposited with the planning authority and with the Irish Architectural Archive prior to the commencement of construction of the proposed houses.

Reason: In order to facilitate the recording of the architectural heritage of the site.

3. Prior to the commencement of development, working drawings of the incorporation of original building features into the proposed dwelling house denoted as house type B shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of clarity and good conservation practice.

4. Prior to the commencement of development, working drawings of the incorporation of the original gate piers into the proposed roadside boundary walls and the re-siting of the northern boundary wall, in accordance the revised plans submitted to An Bord Pleanála on the 26th day of September, 2016, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of clarity and good conservation practice and in the interest of pedestrian and traffic safety.

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

Reason: In the interest of visual amenity.

6. 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.

7. Site development and building works shall be carried out only between the hours of 08.00 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 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.

8. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. The site shall be landscaped in accordance with the submitted landscaping scheme, which shall be revised to reflect the revisions to the proposal submitted to An Bord Pleanála on the 26th day of September, 2016. This revised landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

10. 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 the 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 the 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.

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

Dated this day of 2017.