



An
Bord
Pleanála

**Board Order
PL 06D.248537**

Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D17A/0174

Appeal by Sefton and Sefton Green Residents Association care of Seamus O'Hare of 32 Sefton, Rochestown Avenue, Dún Laoghaire, County Dublin and by Aoife and Donald Ewing care of Conor Sheehan of Law Library, Four Courts, Inns Quay, Dublin against the decision made on the 24th day of April, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Cosgrave Developments care of RPS of Innishmore, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Development within an application site, comprising of a three metres wide shared tarmac pedestrian and cycle path through an existing open space area within Sefton to facilitate a pedestrian/cycle link between Honeypark, Glenageary Road Upper, Dun Laoghaire and Sefton and dishing of existing public footpath and kerbing at public road, and associated site development and landscaping works, all at Sefton, Rochestown Avenue, Dún Laoghaire, County 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 planning history of the site and in particular condition number 28 of An Bord Pleanála appeal reference number PL 06D.225947 (planning register reference number D06A/0927) 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 not seriously injure the amenities of the area or of property in the vicinity, would comply with National Policy with regard to permeability for pedestrians and cyclists and would be acceptable in terms of pedestrian and cyclist safety. 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, 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 comprehensive landscaping scheme shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Prior to commencement of development, the developer shall undertake at his own expense, an independent quality audit of the proposed development with particular emphasis on the safety of pedestrians and cyclists and to include for the pathway's connection with existing pedestrian and cycle routes within Honeypark. The independent audit team shall be approved of in writing by the planning authority. The Auditor's report together with any measures recommended, including any revised drawings detailing these measures, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of orderly development and public safety.

4. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, plan and elevation drawings showing the provision of a sign indicating: 'Shared Track for Pedal Cycles and Pedestrians'. The sign shall be located adjacent to the proposed dropped kerb and buff tactile paving at the proposed pathway's connection to the public road within Sefton.

Reason: In the interest of orderly planning and public safety.

5. The public lighting proposed shall be ABACUS raising and lowering columns.

Reason: In the interest of orderly planning and public safety.

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.

Reason: In the interest of amenities, public health and safety.

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

Dated this day of 2018