



An
Bord
Pleanála

Board Order
PL 06D.249290

Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D17A/0223

Appeal by Lorcan Lynch and others care of Deirdre Conroy, Law Library, Distillery Building, 145-151 Church Street, Dublin against the decision made on the 29th day of August, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Devondale Limited care of McCutcheon Halley of Kreston House, Arran Court, Arran Quay, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Amend previously permitted scheme (Dún Laoghaire-Rathdown County Council register reference D15A/0191). The proposed development will consist of a revised layout in the north-east corner of the residential development currently under construction, including footpath and road extending to the north boundary with The Maples open space, in compliance with condition 3 of the final grant of permission (An Bord Pleanála reference PL 06D.245621). Proposals also provide for all associated site works, including turning head, hard and soft landscaping and repositioned bicycle storage shelter, as amended by the revised public notice received by the planning authority on the 4th day of August, 2017 providing for a pedestrian facility, which consists of a temporary solid gated opening in the existing north wall boundary with The Maples Open Space and to

extend the road to the northern boundary with The Maples all at Bird Avenue, Clonskeagh, 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 objectives to encourage pedestrian permeability within the wider area set out in the Dun Laoghaire-Rathdown County Development Plan 2016-2022, and the guidance regarding enhancing permeability and connectivity in the Design Manual for Urban Roads and Streets and the Permeability Best Practice Guide, 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. 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 submitted on the on the 4th day of August 2017, 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 applicant shall comply with all conditions of the previous permission covering the wider development area (as set out under planning register reference number D15A/0191/An Bord Pleanála reference number PL 06D.245621), except as may otherwise be required in order to comply with the conditions attached to this permission.

Reason: In the interest of clarity.

3. Prior to the occupation of the development, the applicant shall submit to, and agree in writing with, the planning authority a revised Taking in Charge Masterplan drawing to include the proposed pedestrian access route to the northern boundary, boundary fence and gate.

Reason: In the interest of achieving permeability in accordance with National Policy Guidance.

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

Dated this day of 2018