



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 2475/19

Appeal by Gráinne Walsh and others care of 65B Saint Margaret's Avenue, Raheny, Dublin and by others against the decision made on the 23rd day of August, 2019 by Dublin City Council to grant subject to conditions a permission to Horoprops Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Planning Permission at 'Strand View' (formerly 778-784), Howth Road, Raheny, Dublin for revisions to a previously permitted residential development (previously granted under planning register reference number 4648/17, An Bord Pleanála reference number ABP-301265-18). The proposed revisions will comprise of the addition of a new fourth floor penthouse level to previously permitted apartment blocks A and B to now comprise two number five-storey (three-storey plus two setback penthouse floors) apartment blocks with an overall increase of six number apartments (two number one bedroom units and four number two bedroom units) with the overall apartment blocks now consisting of a total of 58 number apartments (10 number one bedroom units, 38 number two bedroom units, 10 number

three bedroom units) with balconies to east, south and west elevations and all associated internal and external modifications to the previously permitted blocks to facilitate this development; and all associated engineering and site development works necessary to facilitate the development, all at “Strand View” (formerly 778-784), Howth Road, Raheny, 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 site’s location on serviced urban land, the residential land use zoning of the site, and the nature and scale 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 residential or visual amenities of the area or the amenities 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 to the planning authority on the 29th day of July, 2019, 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 the 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 development shall be carried out and completed in accordance with the conditions attached to the permission granted under planning register reference number 4648/17, An Bord Pleanála reference number ABP-301265-18, except as amended in order to comply with the conditions attached to this permission.

Reason: In the interest of clarity.

3. An opaque privacy screen of 1.8 metres shall be maintained to the rear and side of the balcony of the western-most apartment unit in Block A and the eastern-most apartment unit in Block B.

Reason: To protect the amenities of property in the vicinity.

4. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of planning permission.
Reason: To safeguard the amenities of surrounding occupiers and the visual amenities of the area in general.

5. A Parking Management Plan, a Mobility Management Plan and a cycle parking plan shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety.

6. Proposals for an amended estate/street name, house/block/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Thereafter, all estate and street signs, and house/block/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority and shall be in both Irish and English. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

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

8. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the current Development Plan for the area.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 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 developer or, in default of such agreement, the matter shall be referred to 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.

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

Dated this day of 2020.