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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2277/21**

**Appeal** by Gráinne Condon care of Armstrong Planning Limited of 12 Clarinda Park North, Dun Laoghaire, County Dublin and by Village Management (Number 1) Company (Lansdowne Village Management Company) care of NJBA A+U of 34 Upper Baggot Street, Dublin against the decision made on the 27<sup>th</sup> day of September, 2021 by Dublin City Council to grant, subject to conditions, a permission to Philip Anthony Halton of Newbridge Mews, Rear 47 Tritonville Road, Dublin in accordance with the plans and particulars lodged with the said Council:

**Proposed Development:** Construction of a single two-storey three bedroom mews house, containing two bathrooms, kitchen/dining area on the ground floor and a living area on the first floor. A pitched tile roof and a brick east and west façade and plaster façade to the south and north of the dwelling. There will be three roof lights and a rear and front garden, the front garden containing two parking spaces at Newbridge Mews, Rear 47 Tritonville Road, Dublin.

## Decision

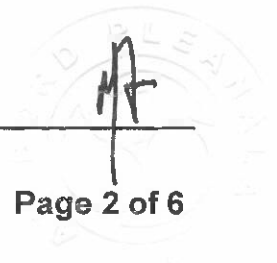
**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016-2022, to the 'Z2 – Residential Neighbourhoods (Conservation Areas)' zoning objective of the site, to the existing pattern of development, and to the nature, design 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 property in the vicinity, would not be prejudicial to public health, and would be acceptable in terms of pedestrian and traffic 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, as amended by the further plans and particulars submitted on the 31<sup>st</sup> day of May 2021 and the 31<sup>st</sup> day of August 2021, 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. (i) The car parking space shall be kept free from obstruction at all times for use by the occupier of the dwelling and shall not be used for any other purpose than the parking of a vehicle; and
- (ii) Entrance gates shall not open outwards onto the laneway.

**Reason:** To ensure the provision of adequate off-street parking and traffic safety.

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

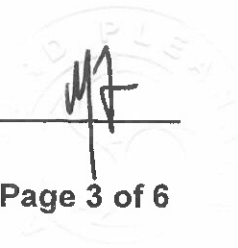
**Reason:** In the interest of visual amenity.

4. Prior to commencement of development, the developer shall submit an acceptable naming and/ or numbering scheme for the written agreement of the planning authority.

**Reason:** In the interest of orderly development.

5. 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 and surface water management.



6. The developer shall enter into water and/ or wastewater connection agreement(s) with Irish Water, prior to commencement of development.

**Reason:** In the interest of public health and orderly development.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

**Reason:** In the interests of visual and residential amenity.

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 or public holidays. Deviation from these times shall 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, dust, debris management measures, traffic management measures, and off-site disposal of construction waste.

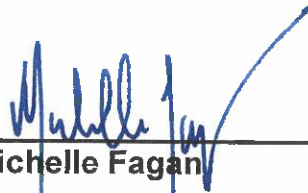
**Reason:** In the interests of public safety and residential amenity.

10. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage (front and rear garden areas) of the proposed dwelling, without a prior grant of planning permission.

**Reason:** In the interest of the amenities of the area.

11. 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 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 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.



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Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 5<sup>th</sup> day of September 2022

