



An
Bord
Pleanála

Board Order ABP-312629-22

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21A/0300

Appeal by Ashbrook Excellence Limited care of Studio 304 Architecture Limited of The Glass Houses, 92 George's Street Lower, Dun Laoghaire, County Dublin against the decision made on the 7th day of January, 2022 by South Dublin County Council to refuse permission for the proposed development.

Proposed Development: Demolition of the existing single storey 33 square metre apartment at 19A Hillsbrook Drive, and construction of a new semi-detached residential two-storey apartment development comprising three units. The existing house at 19 Hillsbrook Drive is to be retained with its own vehicle access and off-street parking. Two studio apartments measuring 41 square metres and 43 square metres each and a two-bedroomed apartment measuring 85 square metres with a first-floor terrace are to be provided including cycle parking, refuse storage, landscaped private and communal amenity areas and all necessary and associated site works, all at 19 Hillsbrook Drive, on the corner of Muckross Avenue and Hillsbrook Drive Perrystown, Dublin .

Decision

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

Reasons and Considerations

Having regard to the provisions of the South Dublin Development Plan 2022 - 2028, including the residential zoning for the site, and to the nature, design and layout of the proposed residential development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would provide an acceptable standard of amenity for future residents and would be acceptable in terms of 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 received by An Bord Pleanála on the 3rd day of February, 2022, 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 privacy screen/louvres shall be provided along the western side of the proposed first-floor balcony to screen this private amenity space from public view. Revised drawings indicating the design shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interests of visual and residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed development, including boundary treatments, 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. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

5. The area between the boundary with Hillsbrook Drive and the proposed development shall not be subdivided between the two units it shall be used as a shared space serving both units. (Drawing Reference PA04, proposed floor plans, received by An Bord Pleanála on the 3rd day of February, 2022.)

The following shall be submitted to the Planning Authority for written agreement prior to the commencement of development on site:

- (a) The number, layout, design and demarcation of the bicycle spaces / storage.
- (b) Vehicular access, lighting and parking arrangements.
- (c) Bin storage
- (d) Landscaping, including a planted privacy strip for the bedroom and kitchen windows at ground floor level.
- (e) Details of management arrangements for communal spaces.

Reason: In the interest of clarity.

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health

7. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between 0800 and 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. 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 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 developers 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.



Mary Henchy

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

Dated this 11th day of September 2023.