



An  
Bord  
Pleanála

## Board Order ABP-315717-23

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB1475/22**

**Appeal** by Susan Perkins and others care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 11<sup>th</sup> day of January, 2023 by Dublin City Council to grant subject to conditions a permission to Willy Brennan and Eleanor Garvey care of Ken Meehan Architects of Strand Road, Ballymoney, Gorey, County Wexford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of part (29.5 square metres) of an existing single-storey workshop and the construction of a two-storey extension (60 square metres) to the rear of the remaining workshop of 63 square metres, to form a detached live/work mews dwelling, along with new roof lights to the existing workshop roof, two cycle spaces and all associated site works, all at The Old Forge, 6 Bloomfield Park and to the rear of number 13 and number 14 Longwood Avenue, 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 2022 - 2028 and to the nature, scale and orientation of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the current Development Plan for the area, would not seriously injure the residential or visual amenities of the area and 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 on the 6<sup>th</sup> day of December, 2022 and by the further plans and particulars received by An Bord Pleanála on the 7<sup>th</sup> day of March, 2023, 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 developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division, and the Noise and Air Pollution Section of the planning authority.

**Reason:** To ensure a satisfactory standard of development.

3. The developer shall comply with the following requirements of the Transportation Planning Division of the planning authority:
  - (a) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
  - (b) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

**Reason:** To ensure a satisfactory standard of development.

4. The developer shall comply with the following requirements of the Drainage Division of the planning authority:
  - (a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
  - (b) The drainage for the proposed development shall be designed on a completely separate foul and surface water system with a combined final connection discharging into Uisce Éireann's combined sewer system.
  - (c) The development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of these shall be submitted to, and agreed in writing with the Drainage Division of the planning authority prior to commencement of construction.
  - (d) The developer shall furnish to the planning authority a letter from Uisce Éireann confirming agreement/permission on the applicants' proposals prior to commencement of any construction/conversion work.



- (e) The outfall surface water manhole from this development shall be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- (f) All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. shall be located within the final site boundary. Private drains shall not pass through property they do not serve.
- (g) Any new paving shall be carried out in a sustainable manner so that there is no increase in surface water run-off to the drainage network as per the Dublin City Development Plan 2022-2028.

**Reason:** To ensure a satisfactory standard of development.

- 5. (a) The site and building works required to implement the development shall only be carried out between the hours of 0700 to 1800 Mondays to Fridays, Saturday 0800 to 1400 hours, Sundays and Public Holidays shall have no activity on site.
- (b) Deviation from these times will only be allowed where a written request with compelling reasons for the proposed deviation has been submitted and approval has been issued by the planning authority. Any such approval may be subject to conditions pertaining to the particular circumstances being set by the planning authority.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers.

- 6. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 ' Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

**Reason:** In order to ensure a satisfactory standard of development and in the interest of residential amenity.

7. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

8. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a Traffic Management Plan (TMP) for the construction phase of the development for the written agreement of the planning authority. The agreed Traffic Management Plan shall be implemented in full during the course of construction of the development.

**Reason:** In the interest of sustainable transport and safety.

9. 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.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this *14<sup>th</sup>* day of *June* 2023.