

An  
Bord  
Pleanála

**Board Order**  
**ABP-317629-23**

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 5117/22**

**Appeal** by Deirdre and Colm Holmes care of SBLM Architects Ireland Limited of The Nest, 19-20 York Road, Dun Laoghaire, County Dublin against the decision made on the 28<sup>th</sup> day of June, 2023 by Dublin City Council to grant subject to conditions a permission to Jamie Moran and Lauren Healy care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin in accordance with plans and particulars lodged with the said Council.

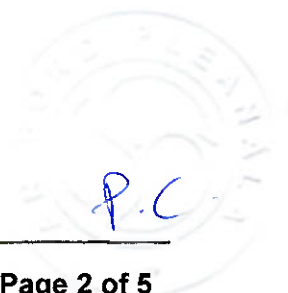
**Proposed Development:** Removal of existing rear boundary wall with vehicular/pedestrian access to Palmerston Villas. Construction of one number two-storey over lower ground floor level, three-bedroom contemporary infill dwelling with sloped roof, partial sedum roof and served by one number on-curtilage vehicular parking space. Provision of ground floor level central courtyard, comprising garden space and outdoor dining area and two number courtyards at first floor level and all associated ancillary works necessary to facilitate the development, including drainage works, site works, boundary treatments and landscaping, all at lands to the rear of 1D Silverdale, Rathmines, 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 design, scale and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would contribute to sustainable residential neighbourhoods consistent with the Z1 land use zoning objective for the area, would be consistent with the relevant provisions of the Dublin City Development Plan 2022-2028, would achieve an acceptable level of residential amenity, would not seriously injure the visual amenities of the area, would not give rise to the creation a traffic hazard or prejudice public health, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



## Conditions

1. The proposed 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 the planning authority on the 1<sup>st</sup> day of June, 2023 and by An Bord Pleanála on the 21<sup>st</sup> day of August, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to commencement of development, details of the following matters shall be submitted to, and agreed in writing with, the planning authority:
  - (a) Details of the main pedestrian entrance set back and the provision of a shelter area to the front of the dwelling to provide safe pedestrian access.
  - (b) A reduction in the number of parking spaces to one space.
  - (c) Details of materials and finishes in public areas.

**Reason:** In the interest of traffic and pedestrian safety.

3. Details of the materials, colours and textures of all the external finishes to the proposed development 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. Water supply and drainage arrangements for the site, 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.

5. 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.

6. Proposals for house naming and house numbering shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed name and number shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

**Reason:** In the interest of urban legibility and orderly street naming and numbering.

7. The construction of the proposed 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 proposed development, including hours of working, access, construction parking, management of on-street parking, noise management measures and off-site disposal of construction/demolition waste.

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

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

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

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.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *6* day of *March* 2024.