

An  
Bord  
Pleanála

## Board Order ABP-319180-24

### Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

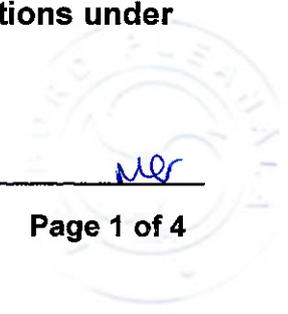
Planning Register Reference Number: WEB2073/23

**Appeal** by Paul and Breda Berney care of Armstrong Planning Limited of 12 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 7<sup>th</sup> day of February, 2024 by Dublin City Council to grant subject to conditions a permission to Angus Walker and Zara Fullerton care of Gilna Architecture of Fumbally Exchange, Argust House, Malpas Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Amendments to previous approved scheme planning register reference number 2481/19 notably demolition and removal of existing sheds, garden walls to the rear of number 2 Newbridge Avenue, construction of a three-bedroom detached flat roof two-storey mews house, alterations to existing rear garden wall pedestrian access, landscaping, drainage works and ancillary and associated works, all at rear garden of 2 Newbridge Avenue, Sandymount, 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 zoning objective, which seeks to protect and/or improve the amenities of residential conservation areas, and the policy framework provided by the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed modification of the development permitted under planning register reference number 2481/19 would provide a reasonable level of residential accommodation on site, would not have a significant adverse impact on the residential amenities of adjoining properties, including number 4 Newbridge Avenue, would be consistent with Section 15.5.2 (Infill Development) of the Dublin City Development Plan 2022-2028, and would in general be consistent with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024). The proposed development 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, 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. The developer shall comply with the conditions of the parent permission granted under planning register reference number 2481/19, except where modified by this permission.

**Reason:** In order to clarify the scope of this permission and in the interest of orderly development.

3. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

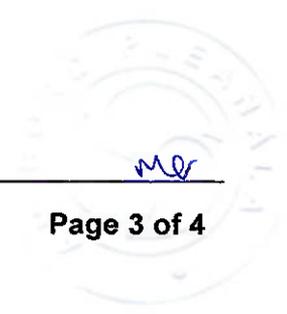
**Reason:** In the interest of public health.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. Details of the external finishes of 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.



6. 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 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 developer or, in default of such agreement, the matter shall be referred to the Board 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 Gurrie*

**Mary Gurrie**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *01* day of *October* 2024.