

An
Coimisiún
Pleanála

**Commission Order
PL-500634-DS**

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB5415/25

Appeal by Orbitiz Limited against the decision made on the 9th day of December, 2025 by Dublin City Council to refuse permission.

Proposed Development: Construction of a part two-storey, part three-storey dwelling, the provision of a new off-street vehicular parking space, and all associated site development works above and below ground, all at the junction of Le Vere Terrace and Harold's Cross Road, Harold's Cross, Dublin.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the Dublin City Development Plan 2022-2028, as varied, to Policy QHSN 6 (Urban Consolidation) of the development plan which supports sustainable intensification of infill lands, and the residential zoning of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would represent a sustainable intensification and consolidation of the built environment in an accessible location through infill development at an appropriate scale and design in line with policy, which would reasonably integrate with the surrounding area, and that would have no significant impacts of concern in relation to the receiving environment, particularly in terms of visual impacts, and would provide an acceptable level of residential amenity to future occupants while not unduly impacting on the residential and visual amenities in the vicinity, and would not result in significant traffic impacts. 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 proposed development shall be amended as follows:

(a) The proposed off-street vehicular parking space shall be omitted.

(b) The vehicular entrance/gateway shall be omitted.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity and sustainable development.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

5. No part of the footpath proposed for taking in charge shall be overhung by private property. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a revised drawing showing the area of the footpath to be taken in charge.

Reason: In the interest of orderly development.

6. The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking in Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998 shall be adhered to. Following completion, the proposed development shall be maintained by the developer, in compliance with these standards, until taken in charge of the footpath by the planning authority.

Reason: To ensure that the proposed development is carried out and completed to an acceptable standard of construction.

7. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

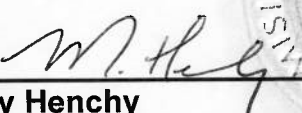

Reason: In the interest of public safety and amenity.

8. Prior to commencement of development, the applicant, or other person with an interest in the land to which the application relates, shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority, or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

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 Coimisiún 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
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 28th day of April 2026.