



An  
Bord  
Pleanála

**Board Direction**  
**BD-006361-20**  
**ABP-306867-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/08/2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the zoning , planning history of the site, urban design, height and quantum of development, it is considered that the proposed residential development, subject to conditions set out below, would not adversely affect the residential or visual amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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 11th day of March 2020 except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

- 2 Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permissions granted on 4<sup>th</sup> day of July 2017 under planning ref 161671, and 12<sup>th</sup> March 2018 under planning ref 17/1289, and any agreements entered thereunder. This permission shall expire on 11<sup>th</sup> March 2023.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The road works associated with the proposed development including the setting out of the entrances, paving and surface finishes shall be carried out and completed in accordance with the requirements of the planning authority.

Reason: In the interest of traffic safety and orderly development.

- 4 The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

5. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard the developer shall –

(a) Notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

(b) Employ a suitably qualified archaeologist who shall monitor all site excavations and other excavation works, and

(c) Provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authorities considers appropriate to remove.

In default of any of these requirements the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

6. Details of the materials. Colours and textures or all external finishes shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services, and shall be agreed in writing with the Planning Authority prior to commencement of development.

Reason: In the interests of public health and to ensure a proper standard of development.

8. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of the visual amenities of the area.

9. Detailed mitigation measures providing for a graduation of the retaining boundary wall treatment and incorporating additional landscaping measures shall be implemented to the southwestern site boundary. Details shall be submitted for the written agreement of the planning authority prior to the commencement of development.

Reason: In the interest of residential and visual amenity.

10. All rear gardens shall be bounded by block walls, 1.8m in height, capped and rendered on both sides, to the written satisfaction of the planning authority.

Reason: In the interest of residential and visual amenity.

11. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded and landscaped in

accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.

**Reason:** In order to ensure the satisfactory development of the public open space areas and their continued use for this purpose.

12. The landscaping scheme shown on drawing no 2267-2003A as submitted to An Bord Pleanála on the 11<sup>th</sup> day of March 2020 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of 5 years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species unless otherwise agreed in writing with the planning authority.

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

13. Bicycle parking spaces shall be provided within the site in accordance with the standards outlined within The National Cycle Manual by the National Transport Authority Section 5.5.7. The layout and demarcation of these spaces shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interests of sustainable transportation and safety.

14. The construction of the 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 development, including hours of working, noise management measures and off-site disposal of construction / demolition waste.

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

15. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

16. 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. 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 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.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or other security to secure

the provision an satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

**Board Member**

**Date:** 31/08/2020

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Michelle Fagan