



Board Direction

Ref: PL06F. 245710

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14th March 2016.

The Board decided to grant permission in accordance with the following reasons, considerations and conditions.

Reasons and Considerations

Having regard to the zoning for the site, to the layout of the proposal making provision for future road proposals in the area, to the quality and quantity of open space to be provided and to the nature of the design incorporating courtyards with good quality active and passive surveillance, the board considered that the proposal as submitted to the Planning Authority at further information stage would provide a satisfactory level of residential amenity, would not prejudice future road proposals in the area, would be acceptable in terms of traffic safety and convenience, would deal with surface water in an appropriate manner and would, if carried out in accordance with the conditions attached hereto be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered, given the zoning of the site, that the proposal had made adequate provision for indicative future road proposals as indicated in the development plan 2011-2017. The proposal was not considered premature pending provision of a Local Area Plan given the existence of a statutory development plan for the area, as to do so in this instance would conflict with the delivery of housing on appropriately zoned and serviced urban land. Further the board considered that, if carried out in accordance with the conditions attached hereto, that adequate open space would be included in the scheme, and that it was appropriate to consider the proposed surface water detention areas as part of the open space calculations.

In having regard to the reasons for refusal indicated by the planning authority as material contraventions of the development plan, the Board considered that the SUDS proposals would form an attractive element of the public open space and, further to amendment by condition, the open space provision did not materially contravene the development plan.

Further the board had regard to the nature of the drain on the site and considered that the provision of an extensive riparian corridor along such a drain in the context of the site, was not required by the development plan and further considered that there were conflicting objectives in the development plan given the zoning of the site. In assessing these matters the board was influenced by national policy requiring efficient use of zoned, serviced residential land as further stated under *Sustainable Residential Development in Urban Areas*, issued by the DoEHLG in May 2009

Conditions

1. Plans Partic as lodged on 3rd March 2015 as amended 14 Sept 2015.
2. The layout shall be amended as follows
 - (a) The amount of car parking in courtyard 02 shall be reduced to 28 spaces. The car parking shall be grouped such that there shall be two lines of car parking spaces accessed off a single 6.0 m wide access way, located at the West side of this courtyard, with a single hammerhead at the Northern end. Access to the houses at the Eastern side of this courtyard shall be by pedestrian access over the proposed open space area. The roadway shown at the Eastern and the Northern end of this courtyard shall be incorporated into the open space provision for the scheme.
 - (b) House type A1 shall be amended to allow for the deletion of the second floor window in the gables of these houses and to provide for the widening of the other window to the affected bedrooms.
Drawings showing the above amendments are to be submitted for agreement with the PA prior to development.

Reason: To ensure a satisfactory level of amenity, open space provision and to prevent overlooking.

3. The proposed commercial unit, apartments and parking spaces 01 through 18 shall be deleted from the scheme. Any proposal to develop the area thus vacated shall be subject to a further planning application.

Reason: The proposed apartment building is unsympathetic to its surroundings due to excessive height, inappropriate scale, uncoordinated window openings and use of materials not in sympathy with the existing streetscape. The removal of this element of the proposal is necessitated in the interests of visual amenity.

4. UrbanWaterdrain
5. Lighting
6. Cables
7. Screenwalls alternative b
8. Reargarden1
9. Naming
10. PartV1
11. Const Hours
12. CDW
13. UrbanManage3
14. Urbanwaste 1
15. CMP2
16. Security 1
17. The developer shall pay to the planning authority a financial contribution in lieu of the provision of open space as provided for under objective OS02B of the development plan. This amount, and the method of payment is to be agreed with the PA prior to development commencing.
18. S48 Unspec
19. Check S482(c)

Board Member: _____ Date: 14th March 2016
Michael Leahy