



Board Direction

Ref: 06F.246404

The submissions on this file and the Inspector's report were considered at a Board meeting held on 4th, August 2016.

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

REASONS AND CONSIDERATIONS

Having regard to the zoning of the site for residential use, the planning history of the site and adjoining site and the existing pattern of development in the vicinity it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential of neighbouring dwellings or the amenities of the area, would not adversely affect the setting of a Protected Structure, 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 submitted on the 19th, October 2015 and the 10th February 2016, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission authorises 78 residential units (including 10 houses) only. Each proposed residential unit shall be used as a single dwelling unit.

Reason: In the interests of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed residential units 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. The windows serving all bathrooms, en-suites and walk-in wardrobes shall be permanently fitted and maintained with obscure or stained glass. The use of film is not permitted.

Reason: In the interests of proper planning and sustainable development of the area

5. 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.

Reason: In the interest of public health.

6. Prior to the commencement of development the developer shall submit to and agree in writing with the planning authority full details of the proposed boundary treatment with the adjoining school site.

Reason: In the interest of visual and residential amenity

7. The proposed childcare facility shall cater for a maximum of 25 children and shall not operate outside the period of 0700 to 1900 hours Monday to Friday inclusive except public holidays, and shall not operate on Saturdays, Sundays or public holidays.

Reason: In the interest of residential amenity

8. No residential unit shall be occupied until all the services have been connected thereto and are operational.

Reason: In the interest of the proper planning and sustainable development of the area.

9. Std. Cables Underground and Reason

10. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
 - (i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping

- (ii) The measures to be put in place for the protection of these landscape features during the construction period
- (iii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.
- (iv) Details of screen planting
- (v) Details of roadside/street planting, which shall not include prunus species
- (vi) Hard landscaping works, specifying surfacing materials, furniture, play equipment and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment
- (c) A timescale for implementation

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 five years from the completion of the development, 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 interest of residential and visual amenity

11. The developer shall engage a suitably qualified arborist / landscape professional for the duration of the development to monitor site development works and to liaise with the Planning Authority. Prior to the commencement of any works on site the developer shall submit to and agree in writing a scheme of tree protection measure to be implemented on site for the duration of the development.

Reason: In the interest of tree protection and residential and visual amenity

12. A tree bond of €50,000 shall be lodged with the Council prior to the commencement of development in order to ensure that the agreed trees are protected and maintained in good condition throughout the course of development.

Reason: In the interest of the proper planning and sustainable development of the area and in order to protect the visual amenities of the area

13. Std CMP (include construction hours **(09.00 am and 19.00 pm Monday to Friday and 09.00 and 14.00pm on Saturdays and not on Sundays/Public Holidays etc.)**)

14. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development. The agreed lighting system shall be fully implemented and operational, before the proposed development is made available for occupation.

Reason: In the interest of public safety and visual amenity.

15. Std. Part V and Reason

16. Prior the commencement of development the developer shall submit a drawing to the planning authority clearly indicating those areas of the site which are to be taken-in-charge by the planning authority (which shall include all of the roads and footpaths and the public open space) and those parts of the development to be privately managed.

Reason: In the interests of clarity and in order to comply with national policy.

17. Proposals for an estate/street name, house and apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interests of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

18. 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.

19. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in lieu of the shortfall of 1,261 sq. m of Public Open Space provided for in the proposed development. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

20. 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 and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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 and maintenance of the development until taken in charge.

Board Member: _____ Date: 4th, August 2016
Paddy Keogh