



Board Direction

Ref: 06D.246699

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19th, September 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 nature and scale of the proposed development, the residential zoning of the site in the DunLaoghaire-Rathdown County Development Plan 2016-2022, the character of Stanford House and its status as a Protected Structure within an area designated as an Architectural Conservation Area and to the established character and pattern of development within the vicinity of the site it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or other amenities of the area, would be acceptable in terms of its impact on Stanford House and the conservation of its status as a Protected Structure, would be acceptable in terms of traffic safety and convenience and would 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 26th day of February 2016 and the 27th day of April 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. The proposed development shall be amended as follows:

(a) Proposed House No. 1 shall be re-located 3.5m to the north and proposed House No. 10 shall be re-located 1.2m to the south. The resulting space shall be allocated to provide for increased separation distance between the remaining detached houses and pairs of semi-detached houses. The relocated dwellings shall be provided with equal separation distance between houses/pairs of semi-detached houses.

(b) The window serving bedroom no. 3 of House No. 10 at first floor level; on the south western elevation shall be omitted.

(c) The window serving the playroom of House No. 1 at second floor level shall be omitted.

(d) The gable window serving the playroom of House No. 2 at second floor level and the gable window serving the playroom of House No. 3 at second floor level shall be obscure glazed.

(e) The door to the dressing room at first floor level in Stanford House shall be retained.

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

Reason: In the interest of residential amenity and in the interest of conservation.

3. All windows identified on the submitted plans as featuring obscured glazed should be fitted and retained with such glazing unless authorised by a future grant of permission for normal glazing.

Reason: In the interests of residential amenity.

4. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

6. 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.

7. Block E residential parking spaces shall be constructed so as to be capable of accommodating future electric vehicle charging points.

Reason: To comply with Development Plan requirements as set out in Section 8.2.4.12 of the DunLaoghaire-Rathdown County Development Plan 2016-2022 and in the interests of the proper planning and sustainable development of the area.

8. 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/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) 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(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

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

9. The open spaces shall be developed for, and devoted to public use. They shall be kept free of any development and shall not be incorporated into house plots.

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

10. 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.

11. All rear garden boundaries shall be enclosed by 1.8m high block walls capped and rendered.

Reason: In the interest of residential amenity.

12. Std. Part V and Reason

13. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

14. 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 interests of sustainable waste management.

15. 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.

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

16. All works to conserve the fabric of Stanford House shall be carried out in accordance with best conservation practice and in accordance with the Department of the Environment's Conservation Guidelines under the professional supervision on site of an Architect or other appropriately qualified person with specialised conservation expertise to ensure adequate protection of the retained and historic fabric during the works. The conservation architect shall, prior to commencement of work, submit a work programme to the planning authority for agreement, which shall detail all work to be carried out to the protected structure. The conservation architect shall certify upon completion that the specified works have been carried out in accordance with good conservation practice.

Reason: In order to safeguard the special architectural and historic interest of the building.

17. Prior to commencement of development, details of the materials, colours and textures of all the external finishes for Stanford House and associated outbuildings, shall be submitted to, and agreed in writing with, the planning authority. Samples of materials to be used shall be made available on site for inspection by the planning authority. Works to the Protected Structure shall be undertaken concurrently with the adjoining development. A schedule for the phasing of the development shall be submitted to the planning authority for its written agreement prior to commencement of development.

Reason: In order to safeguard the special architectural or history interest of the building.

18. Prior to the commencement of development or any related construction or tree felling on the site, the applicant shall lodge a Tree Bond to a minimum value of €10,000 (ten thousand euro) with the planning authority to ensure the protection of trees on the site and to make good any damage caused during the construction period. The bond lodgement shall be coupled with an Arboricultural Agreement, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or tress on or adjoining the site or the appropriate and reasonable replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

Reason: To protect the sylvan charter of the site.

19. (a) Prior to the commencement of development, the developer shall engage the services of a qualified Arborist as an Arboricultural Consultant, for the entire period of construction activity. The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site on a monthly basis, to ensure the implementation of all of the recommendations in the submitted tree report.

(b) After the period of three years post practical completion, the developer shall submit an Arboricultural Assessment Report and Certificate, signed by a qualified Arborist, to the planning authority's Parks and Landscape Services. Any remedial tree surgery, tree felling works recommended in that Report shall be undertaken by the developer at their own expense, under the supervision of Arborist. The Tree Bond shall not be released as and until the Report, Certificate and any remedial works have been fully undertaken, to the satisfactory of the planning authority's Parks and Landscape Services.

Reason: To ensure the protection and long term viability of trees to be retained on site.

20. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

21. 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 investigations 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 authority considers appropriate to remove.

In default of agreement on 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.

- 22. 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 An Bord 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.

- 23. Std. Bond (taking-in-charge) and Reason.

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