



An
Bord
Pleanála

**Board Direction
PL06F.247752**

The submissions on this file and the Inspector's report were considered at a Board meeting held on July 3rd 2017.

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 residential zoning objective of the site, as set out in the Fingal County Development Plan 2017-2023, and to the pattern of existing residential development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area, or of the property in the vicinity, would not detract significantly from the visual amenity of the surrounding environment and would be acceptable in terms of pedestrian and traffic safety. 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 26th day of October 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. Prior to commencement of any building development, all tree and hedgerow removal, as indicated on drawings submitted on the 26th day of October 2016, shall be carried out, and the tree protection measures, as indicated on drawing number 160815-P-12 "Tree Protection Plan", submitted on the 26th day of October 2016, shall be provided before any construction machinery is brought onto the site, and before any foundations or services trenches are opened up.

Reason: In the interest of the protection of visual, residential and environmental amenities.

3. All planting/landscaping required to comply with the specification of the landscaping masterplan submitted to the planning authority on 26th October 2016 shall be maintained, and if any tree or plant dies or is otherwise lost within a period of five years, it shall be replaced by a plant of the same species, variety and size within the planting season following such loss.

Reason: In the interest of the protection of visual, residential and environmental amenities.

4. 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, in the sum of €15,000, to secure the protection and satisfactory maintenance of specified trees on site, for a period of five years following

construction. The form 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 protection and maintenance of the trees to be retained within the development.

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. All attenuation provision shall take place outside the branch spread of trees which are identified in submitted documentation as to be retained.

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

6. All windows serving bathrooms and en suite bathrooms/toilets shall be provided with opaque glazing, which shall be permanently maintained.

Reason: In the interest of protecting the residential amenities of adjoining properties

7. Details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The roof colour of the proposed houses shall be blue-black, dark-grey or dark-brown in colour only, and the ridge tiles shall be the same colour as the roofs.

Reason: In the interest of visual amenity.

8. Site development and building works shall be carried out only between 0800 hours and 1800 hours Mondays to Fridays excluding bank holidays and between 0800 hours and 1300 hours on Saturdays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of protecting the residential amenities of adjoining properties.

9. 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 noise management measures and off-site disposal of construction/demolition waste.

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

10. 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. Any existing over ground cables crossing or bounding the site shall be relocated underground as part of the site development works.

Reason: In the interest of visual and residential amenity.

11. 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 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.

12. 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 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.

Board Member

Date: 3rd July 2017

Philip Jones