



An
Bord
Pleanála

Board Direction
PL06F.247867

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21st June, 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 for the site it is considered that the proposed alterations and modifications for which planning permission and retention of planning permission is sought, subject to conditions set out below, would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health and would generally be acceptable in terms of pedestrian and traffic safety. The subject development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the plans and particulars received by the planning authority on the 25th day of November 2016, except as may otherwise to 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 the 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. 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.

3. The proposed external finishes to the apartment block shall be as indicated on drawing no. CM-13-05 No. 3, CM-13-05 No. 4 and CM-13-05 No. 5 received by the planning authority on 25th day of November, 2016 unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

4. No parking spaces shall be used for any other purpose not directly related to the development, and no car parking space shall be sold, leased or licenced or sublet in connection with any other purpose.

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

5. The boundary wall to the Warrenhouse Road shall not exceed 900 millimetres in height.

Reason: In the interest of visual amenity.

6. The applicant shall comply with the requirements of the planning authority as follows:

(a) Prior to the construction of the boundary wall around the perimeter of the site, the developer shall agree in writing with the planning authority

details as to how this wall and the proposed disabled car parking space can be provided without causing significant damage to the roots of adjoining trees.

- (b) The trees noted for retention in the Tree Report submitted with the application shall be protected during the course of works in accordance with the provisions of BS5837:2012. Prior to the commencement of development on site, the applicant shall agree in writing with the planning authority the precise location of protective fencing and other tree protection measures during the course of the works. Before the submission of this information, a site meeting shall be arranged between the planning authority and the appointed arboricultural consultant to agree tree protection measures.
- (c) All works on trees shall follow the proper arboricultural techniques conforming with BS3998:2010.
- (d) A tree bond of €2,500 shall be lodged with the planning authority prior to the commencement of development in order to ensure that trees are protected and maintained in good condition throughout the course of the development. This bond will be held by the planning authority for a period of three years post construction which may be extended in the event of possible construction related defects.

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

- 7. The proposed storage sheds shall be used solely for the use incidental to the enjoyment of the apartments and shall not be sold, rented or leased independently of the apartments and shall not be used for the carrying out of any commercial activity, trade or business.

Reason: In the interest of orderly development and to protect the amenities of the area.

8. Site development and building works shall be carried out between the hours of 0800 to 1900 hours Mondays to Fridays and 0800 hours to 1400 hours on Saturdays and not at all on Sundays or Bank Holidays. Deviations from these times will 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 the area.

9. 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 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: 21st June, 2017

Philip Jones