



An
Bord
Pleanála

Board Direction
PL 29S 248241

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 13th 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 site size and configuration of existing and permitted development along Charleville Lane and to the layout, footprint, scale and height of the proposed dwelling it is considered that subject to compliance with the conditions set out hereunder, the proposed development would be satisfactorily integrated into the established pattern and character of development in the area, would not be seriously injurious to the residential amenities of adjoining and surrounding residential properties by reason of adverse visual impact, overdevelopment, overlooking and overshadowing, would provide for a satisfactory standard of residential development and amenity for the future occupants and would be acceptable in terms of traffic safety and conveniences. 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 lodged with the application except as may otherwise be required 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.

Reason: In the interest of clarity

- 2 Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

Reason: In the interest of the residential amenities of the area.

- 3 Details of colours and textures of all the external finishes, inclusive of samples shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual and residential amenities of the area.

- 4 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.

- 5 Hours of construction shall be confined to the hours of 0800 and 1900 Mondays to Fridays excluding bank holidays and 0800 hrs and 1400 hrs on Saturdays only. 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 the residential amenities of the area.

6 The developer shall pay to the planning authority a financial contribution of in respect of public infrastructure and facilities benefiting development in 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 in respect of the retail unit only and 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. The application of any indexation required by this condition 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.

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.

Note: The Board noted the concerns of the inspector with regard to the level of set back to the front of the proposed development however it did not share these concerns and considered that sufficient set was provided in comparison to the existing building to be demolished and considered that the proposed development would not injure the residential and visual amenities of the area and would therefore be in accordance with the proper planning and sustainable development of the area.

Board Member

Date: 13.09.17

Paul Hyde