



An
Bord
Pleanála

Board Direction
PL06D.248486

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 21st 2018.

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 Sustainable Residential Development in Urban Areas Guidelines, the Quality Housing for Sustainable Communities Best Practice Guidelines, the Design Manual for Urban Roads and Streets Guidelines, the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposal would seriously injure the visual or residential amenities of the area. This proposal would also comply with all relevant density objectives and development standards. It would be acceptable in terms of traffic safety and public health. No flood risk or Appropriate Assessment issues arise. The proposal 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 23rd day of March 2017 and by the further plans and particulars received by An Bord Pleanála on the 12th day of June 2017, 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.

The proposed development shall be amended as follows:

2 (a) The boundary wall in the vicinity of the balcony to apartment no. 1 shall be finished in a light colour.

(b) Gates to facilitate direct access between the rear gardens of the dwelling houses nos. 1 and 5 and the adjacent access road shall be specified and communal bin and bicycle storage facilities for dwelling houses nos. 2, 3, and 4 shall be provided within their vicinity.

(c) All the proposed bicycle stands shall be specified as being of "Sheffield" type or similar.

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

Reason: In the order to safeguard the residential amenity of the area and to afford a satisfactory standard of amenity to future residents.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings 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. Proposals for a street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and house numbers, shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. The internal road serving the proposed development, including the turning head, parking spaces, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

7. Prior to the making available for occupation of any dwelling, the internal road shall be constructed to at least base wearing course.

Reason: To ensure timely and satisfactory provision of such site development works.

8. The footpaths shall be dished at the junction between the site access road and Glenageary Road Upper in accordance with the requirements of the planning authority.

Reason: In the interest of pedestrian safety.

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 Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

11 Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation 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 property in the vicinity.

12 Public lighting shall be provided in accordance with a scheme, 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.

13. 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 interest of visual and residential amenity.

14 The development shall proceed in accordance with the Construction Management Plan submitted to the Planning Authority on the 23rd day of March 2017, unless otherwise agreed in writing with the Planning Authority.

Reason: In order to safeguard the residential amenities of the area.

15 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 interest of sustainable waste management.

16 The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

17 (a) The obscure glazed windows and privacy panels shown on the submitted plans shall be installed as proposed and, thereafter, they shall be retained insitu for the duration of the development.

(b) The “flat roof” areas on the second floor shall not be used as balconies, roof terraces or any other amenity area. Instead they shall be accessed only for maintenance purposes.

Reason: In order to safeguard the residential amenities of the area.

18 The landscaping scheme shown on drg. no. 100, as submitted to the planning authority on the 23rd day of March 2017 shall be carried out within the first planting season following substantial completion of external construction works.

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.

19 Model Bond Condition

20 S48 Unspecified

Board Member

Date: 21.02.18

Paul Hyde