



An
Bord
Pleanála

Board Direction
BD-000138-18
ABP-300234-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27th March 2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

The Board had regard to the zoning of the site, the modest nature and scale of the proposed design, and the proposed use of new and existing boundary trees and hedging to provide adequate screening to the site. Notwithstanding, that the building line is forward of that of 'The Rise', it is set back from the building line of 'Silverdale' and would have low visual impact from the Mall. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the development was consistent with the Town Centre Zoning Objective, was modest in nature, of low visual impact and would not adversely affect the character of the 'Malahide Historic Core' Architectural Conservation Area and the adjoining 'Malahide The Rise' Architectural Conservation 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 28th day of July 2017 and on the 29th day of September, 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.

2. Condition 3 of PA
3. Condition 4 of PA
4. Condition 6 of PA
5. Details of the boundary treatments to be submitted to the local authority and agreed in writing.

Reason: In the interest of visual 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. 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: 20/04/2018

Michelle Fagan