



An
Bord
Pleanála

Board Direction
BD-001133-18
ABP-301294-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/09/2018.

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 land use zoning objective contained in the Fingal County Development Plan which seeks to provide for residential development and protect and improve residential amenity, it is considered that subject to conditions set out below the proposed development would not seriously injure the amenities of the area or property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. 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, 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 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. Prior to the commencement of development, the applicant shall submit revised plans, elevations and details to the planning authority for written agreement showing the following amendments:

The omission of the two rooflights serving Bedroom No. 4 on the western facing roofplain.

Reason: In the interest of visual and residential amenities.

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

Reason: In the interest of visual amenity.

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. Both dwelling units shall be used as separate single dwelling units apart from such use as may be exempted for the purposes of the Planning and Development Regulations.

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

6. 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.

7. The applicant shall conform with the requirements of the planning authority in respect of the proposed new vehicular entrance and shall incorporate the following requirements:
 - (a) The front boundary wall shall not exceed a height of 0.9 metres. These restrictions extend to planting/landscaping or any similar works within 2 metres of the visibility envelope/boundary that might interfere with the visibility at these locations.
 - (b) Access to the proposed dwelling shall be located to the centre of the proposed front boundary.
 - (c) The dividing/boundary wall between the driveways shall not exceed a height of 0.9 metres over the last 3 metres adjacent to the public footpath.
 - (d) Details of the extent of footpath works including the dishing of the footpath for both dwellings and the relocation of any services shall be agreed with the planning authority’s engineer prior to the commencement of development.

- (e) All the above works shall be carried out at the applicants' expense and in accordance with the specifications and conditions of the planning authority.

Reason: In the interest of traffic safety.

- 8. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris adjoining roads during the course of the works on the subject site.

Reason: To protect the amenities of the area.

- 9. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

- 10. All bathroom and en-suite rooms shall be fitted and permanently maintained with obscure glass. The use of film is not acceptable.

Reason: In the interest of residential amenity.

- 11. Site development and building works shall be carried out between the hours of 0800 hours to 1900 hours Monday to Friday inclusive and between 0800 hours to 1400 hours on Saturdays and not at all on Sundays or Public Holidays unless otherwise agreed in writing with the planning authority.

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

12. Details of the house numbering scheme shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of clarity.

13. The developer shall pay to the planning authority a financial contribution of €14,653 (fourteen thousand six hundred and fifty-three euro) 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. 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 An Bord Pleanála to determine.

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: 18/09/2018

Michelle Fagan