



An
Bord
Pleanála

Board Direction
BD-001540-18
ABP-302113-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/11/2018.

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 provisions of the Fingal Development Plan, 2017-2023, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the surrounding area and would not pose a risk to pedestrians or traffic. 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 as amended by the further plans and particulars submitted on the 31st day of May 2018, 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. The proposed development shall be amended as follows:
 - a) The three windows at first floor level on the eastern elevation shall be omitted.
 - b) All bathroom, WC and en-suite windows shall be fitted and maintained with permanently obscured glazing.
 - c) A revised internal layout that enables vehicles to exit the property in forward gear.
 - d) The front boundary shall be set-back parallel 2m from the road edge over the full length of the property to provide footpath connectivity.
 - e) The internal dividing boundary walls between the driveways shall not exceed 900mm over the last 3m from the back of the public footpath.
 - f) The footpath and kerb along the public road shall be dished.
 - g) The boundary walls and hedge to the front of the new dwelling and the existing dwelling adjacent to the public footpath shall not exceed a height of 0.9m.
 - h) A 2-meter in height concrete capped and plastered boundary wall shall be erected along the northern and eastern boundaries.

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

Reason: In the interests of residential amenity.

3. This permission omits the originally proposed detached garage/shed structure in the existing front garden of No. 14 Park Villas.

Reason: In the interest of clarity and in the interest of visual amenity.

4. 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.

5. (i) The proposed dwelling shall be occupied as a single residential unit and its ancillary buildings shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

(ii) The proposed detached games room and car port shall be used solely for purposes incidental to the enjoyment of the main dwelling house and shall not be used for human habitation, multiple occupancy living units, non-residential uses, carrying out of any trade, trade business or other commercial activity.

Reason: In the interest of clarity; and, to restrict the use of the dwelling and the games room in the interest of residential 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. 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.

8. The proposed dwelling shall be numbered as No. 14A Park Villas. In the event that this number already exists then an acceptable house numbering scheme shall be submitted for the written agreement of the Planning Authority prior to the first occupation of the dwelling.

Reason: In the interests of orderly development and in the interests of urban legibility.

9. (i) All necessary measures shall be taken by the contractor to prevent the spillage or deposit of soil, rubble or other debris on adjoining roads during the course of the works.

(ii) Any damage to the surrounding public road shall be made good to the satisfaction of the Planning Authority.

Reason: In the interests of orderly development and in the interests of public safety.

10. The construction stage shall be managed in accordance with a construction management plan which shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development. This plan shall include details of construction waste measures, noise management measures, dust control measures, arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of orderly development, amenity, safety and sustainable development and sustainable waste management.

11. 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: 06/11/2018

Maria FitzGerald