



An  
Bord  
Pleanála

**Board Direction**  
**BD-002293-19**  
**ABP-302619-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/02/2019.

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 County 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 amenities of the surrounding area and 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 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 by ensuring that all bathroom, WC and en-suite windows are fitted and maintained with permanently obscured glazing. 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 and visual amenity.

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. The proposed dwelling shall be occupied as a single residential unit.

**Reason:** In the interest of clarity and to restrict the use of the dwelling.

5. Any attic floor space in the permitted dwelling and the extended existing dwelling which does not comply with Building Regulations in relation to habitable standards shall not be used for human habitation.

**Reason:** To clarify the extent of the permission.

6. The following requirements of the Planning Authority's Transportation Section shall be carried out in full:
  - (a) The proposed driveway access shall be replaced with two individual vehicular entrances that shall not exceed a width of 4.0 metres each.
  - (b) The front boundary wall and any new dividing boundary wall between the proposed dwelling and the existing dwelling to the front of their building line shall not exceed a height of 0.9 metres.
  - (c) No objects, structures or landscaping shall be placed or installed within the site entrance visibility triangle exceeding a height of 900mm which would

interfere or obstruct (or could obstruct over time) the required visibility envelopes.

- (d) The footpath/verge and kerb shall be dished at the developer's own expense to the satisfaction of the Area Engineer, Operations Department.
- (e) All underground, overhead services and poles shall be relocated, as may be necessary, to a suitable location adjacent to the new boundary at the developer's expense.
- (f) All storm water shall be disposed of into soak pits or drains within the site and shall not be discharged onto the public road.
- (g) All above works are to be carried out at the developer's expense, according to the specification and conditions of the Planning Authority.

**Reason:** In the interest of the proper planning and development of the area.

- 7. 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.

- 8. 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.

- 9. The proposed dwelling shall be numbered as No. 18A Shenick Grove. 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.

10.(a) 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 works.

(b) 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 public safety.

11.No gate shall open across the public footpath or public road.

**Reason:** In the interests of pedestrian and road safety.

12. The construction of the development 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 provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

13. 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.

14. 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:** 05/02/2019

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Dave Walsh