



An
Bord
Pleanála

Board Direction
BD-003897-19
ABP-304301-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/08/2019.

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 zoning of the site for residential development, the pattern of development and the permissions granted in the immediate area, it is considered that, subject to compliance with the attached conditions, the proposed development would not be detrimental to the residential amenities of the area, would not be prejudicial to public health and would, therefore, in 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 out in accordance with the agreed particulars

Reason: In the interest of clarity.

2. The proposed house shall not be occupied until such time as the laneway access, as provided for in permission ref. WEB1018/19, has been completed.

Reason: In the interest of orderly development and traffic and pedestrian safety.

3. Details of external finishes of the proposed house, shall be submitted for the written agreement of the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

4. No flat-roof area shall be used as either a roof terrace or patio.

Reason: To prevent overlooking and loss of amenity to adjoining residential property.

5. The first floor window in the eastern elevation of the proposed house, shall be in permanently obscured glazing.

Reason: To prevent overlooking of the adjoining garden to the east, in the interest of residential amenity.

6. Water supply and drainage arrangements, including the disposal of surface water within the site, shall comply with the requirements of the planning authority for such works and services. In particular, the foundations of the house shall be carried down below the invert level of the 450mm diameter land drain pipe running along the eastern boundary of the site.

Reason: In the interest of public health and to ensure that there is no damage caused to the existing surface water drain within the site.

7. The applicant or developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of this development.

Reason: In the interest of public health and orderly development

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground within the site.

Reason: In the interests of visual and residential amenity

9. The proposed house shall be numbered 159B Vernon Avenue.

Reason: In the interests of urban legibility.

10. Site development and building works shall be carried out only between the hours 0800-1900 Mondays to Fridays inclusive; between the hours 0800-1400 on Saturdays; and not at all on Sundays or public holidays.

Deviations from these times will only be allowed in exceptional circumstances, where prior written approval has been received from the planning authority.

Reason: To safeguard the amenities of residential property in the vicinity.

11. 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.

Reason: In the interest of sustainable waste management.

12. 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: 28/08/2019

Paul Hyde