



An
Bord
Pleanála

Board Direction
BD-005290-20
ABP-305147-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/03/2020.

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 residential zoning objective for the area and the pattern of development in the area, and proposal for comprehensive development of the site for residential purposes under Ref. ABP- 305878-19, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would not have a significant negative impact on archaeology or the ecology of the area. 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 25th day of June 2019 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 developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works (including ground disturbance associated with demolition works),
 - (c) should archaeological material be discovered during the course of the archaeological monitoring, the archaeologist may have work stopped pending a decision as to how to best deal with the archaeology. The developer shall inform the local authority and the Department of Culture Heritage and the Gaeltacht of the discovery and shall prepare to be advised by the Department of Culture Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. preservation in situ or excavation) and should facilitate the archaeologist in recording any material found/ shall comply with the requirements of the Department with regard to mitigation measures considered necessary and

- (d) the Planning Authority and the Department of Culture Heritage and the Gaeltacht shall be provided with a report describing the results of the monitoring.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

3. Mitigation measures, including those relating to tree felling, lighting and the erection of bat boxes, set out in the Bat Assessment Report prepared by Brian Keeley, dated June 2019 and received by the Planning Authority on 25th day of June, 2019 shall be implemented in full in the development.

Reason: to protect bat species which use the site.

4. Clearance of vegetation from the site shall only be undertaken in the period September to February inclusive.

Reason: To ensure the protection of birds.

5. Mitigation measures, set out in the Invasive Alien Plant Species - Site Assessment Report, dated 17th June 2019 and received by the Planning Authority on 25th day of June, 2019 shall be implemented in full in the development.

Reason: To avoid the spread of invasive species in the development.

6. The following shall be complied with in the development#:
- (a) An arborist shall be retained for the full duration of the works and shall oversee the implementation of the recommendations of the Arboricultural Assessment received by the Planning Authority on 25th day of June, 2019. The recommendations of this report including tree protection measures shall be implemented in full in the development.
 - (b) Prior to the commencement of development, the developer shall agree with and submit to the Planning authority a tree bond to be used to ensure the protection of trees proposed for retention on the site. In default of agreement on this requirement, the matter shall be referred to An Bord Pleanála for determination.

Reason: To ensure the protection and retention of trees to be retained on the site.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services.

Reason: In the interest of public health.

8. 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 hours of working, noise management measures, construction traffic access to the site and off-site disposal of construction/demolition waste.

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

Board Member

Date: 04/03/2020

Paul Hyde