



An
Bord
Pleanála

Board Direction
BD-004789-19
ABP-305244-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/12/2019.

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 existing residential/infill zoning objective for the area and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety 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, as amended by the further plans and particulars submitted on the 4th day of July 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 enter into water and waste water connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

3. Drainage arrangements, including the disposal of surface water and the attenuation of stormwater, shall comply with the details submitted to the planning authority on the 4th day of July 2019 and the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

4. With the exception of the boundary with the properties on Hawthorn Close, all rear garden boundaries, including party boundaries, shall consist of blockwork walls, two metres in height, capped and plastered or dashed on both sides. The proposed timber panel fences shall not be erected. The boundary with the properties on Hawthorn Close shall be of similar construction and finish but shall be 2.35 metres in height.

Reason: In the interest of residential amenity.

5. The site shall be landscaped in accordance with a landscaping scheme, which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. This scheme shall include:

- (a) A plan to a scale of not less than 1:500 showing -
 - (i) the species and setting of all new planting,
 - (ii) proposals for a landscaped strip along the north-east site boundary;
- (b) a landscape management plan; and
- (c) a timescale for the implementation of this scheme.

Reason: In the interest of visual and residential amenity.

6. The areas shown as public open space on the lodged plans shall be reserved for such use. The public open space shall be completed and fully landscaped before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer. At the time of taking in charge of the development, the open space shall be vested in the planning authority at no cost to the authority, as public open space.

Reason: In the interest of the amenities of the occupants of the proposed housing.

7. 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. Roof colour shall be blue-black, black, dark brown or dark grey in colour only.

Reason: In the interest of visual amenity.

8. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of amenity and public safety.

9. The internal road serving the proposed development, including turning bays, parking areas, footpaths kerbs and cycle parking shall be in accordance with the detailed requirements of the planning authority for such works, and shall comply in all respects with the Design Manual for Urban Roads and Streets in particular corner radii.

Reason: In the interest of amenities and public safety.

10. All of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the

provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

11. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground. Ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

12. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. proposals for an estate name, house numbering scheme and associated signage shall be submitted to and agreed in writing with the planning authority. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the names of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed names.

Reason: In the interest of urban legibility [and to ensure the use of locally appropriate placenames for new residential areas]. In the interest of orderly development.

13. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an

agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended.

14. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion, and maintenance until taken in charge by the local authority, of roads, sewers, watermains, drains, car parks, open spaces and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The bond shall include provision for the protection of trees during the course of development. The security to be lodged shall be as follows -
- (a) an approved insurance company bond in an amount to be agreed with the planning authority prior to the commencement of any development on site,
 - (b) a cash sum, amount to be agreed with the planning authority prior to the commencement of any development on site, to be applied by the planning authority at its absolute discretion if such services are not provided to its satisfaction, or
 - (c) such other security as may be accepted in writing by the planning authority.

Reason: To ensure the satisfactory completion of the development.

15. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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: 17/12/2019

Maria FitzGerald