



An
Bord
Pleanála

Board Direction
BD-006467-20
ABP-307003-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/09/2020.

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 provisions of the Fingal County Development Plan 2017-2023, the planning history and the zoning of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and residential amenity of the area and would be acceptable in terms of traffic and pedestrian safety and convenience. 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 23rd day of August 2019, the 11th September 2019, the 23rd day of January 2020 and the 04th February 2020 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.

Save for the development granted on foot of this permission, the development shall otherwise be carried out in strict accordance with the terms and conditions of Planning Permission Register Reference F11A/0473 save as may be required by the other conditions attached hereto.

Reason: In the interest of clarity.

2. Prior to commencement of development, the developer shall submit for the written agreement of the Planning Authority, revised plans and particulars detailing the provision of a childcare facility at the location of House No. B1/01, as detailed on Drawing No. 1643 P2C-03 submitted on the 23rd day of January 2020. The layout, design, capacity and hours of operation of the childcare facility shall be in accordance with the 'Childcare Facilities: Guidelines for Planning Authorities' issued by the Department of the Environment and Local Government in June 2001 and the requirements of the Planning Authority.

Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity and of the proper planning and sustainable development of the area.

3. Prior to commencement of development, the developer shall submit for the written agreement of the Planning Authority, revised plans and particulars detailing the following;
 - (i) The omission of House No. B2/06 at the eastern end of Road 9 and its replacement with an appropriately landscaped area of public open space.
 - (ii) House Nos. A2/07 and A/08, as detailed on Dwg. No. 1643 P2C-03, shall be replaced with 2 no. 'B' type semi-detached houses.

- (iii) House No. A/09, as detailed on Dwg. No. 1643 P2C-03, shall be replaced with an 'A' type end-of-terrace house.
- (iv) The southern side elevation of House No. A1/25, as detailed on Dwg. No. 1643 P2C-03, shall be designed to address the Rathbeale Road by providing an active and appropriately designed elevation treatment.

Reason: In the interest of road safety, residential and visual amenity and the proper planning and sustainable development of the area.

- 4. Prior to commencement of development, the developer shall submit for the written agreement of the Planning Authority, revised plans and particulars detailing the internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs. Details to be submitted shall comply with the detailed standards of the Planning Authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

- 5. Prior to commencement of development, the developer shall submit for the written agreement of the Planning Authority, revised plans and particulars detailing the bicycle storage and bicycle parking serving the proposed development. Details to be submitted shall show the omission of the westernmost bicycle storage unit between Blocks A and B and its replacement with additional street tree planting.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

- 6. Prior to commencement of development, the developer shall submit for the written agreement of the Planning Authority a detailed Landscape Plan with full works specification. This plan to include detailed specifications relating to paths, landscaping features, street furniture, bike parking, drainage, boundary treatment, planting, hard surfaces and street trees planting where necessary. Details regarding the type, size,

location and number of plants proposed should be clearly indicated on a Planting Plan to accompany the Landscape Master Plan.

Details to be submitted shall provide appropriate boundary treatment along the eastern and southern boundaries shared with neighbouring dwellings Ravenswood and Belleview House.

All trees and hedgerows within and on the boundaries of the site, except those specified trees whose removal is authorised in writing by the planning authority to facilitate the development, shall be protected during building operations and shall be retained thereafter.

Reason: In the interest of residential and visual amenity.

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 colours shall be blue-black or dark grey only, including ridge tiles.

Reason: In the interest of visual amenity.

8. Prior to the commencement of development proposals for an estate/street name, and house numbering scheme and associated signage shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

9. 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 commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

10. The development hereby permitted, including all roads, footpaths, and public lighting, shall be carried out in accordance with the standards and requirements of the planning authority for taking in charge. The development shall be maintained by the developer until taken in charge

by the authority and shall not be operated or maintained by a private management company.

Reason: In order to comply with national policy in relation to the maintenance and management of residential estates, and to ensure that the development, when completed, can be taken in charge by the planning authority.

11. 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 and dust management measures, measures to prevent pollution to local watercourses, and off-site disposal of construction/demolition waste.

Reason: In the interests of clarity, orderly development and amenity.

12. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing overground cables crossing or bounding the site shall be undergrounded as part of the site development works.

Reason: In the interests of visual and residential amenity.

13. A construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and for storage of deliveries to the site.

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

14. 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.

15. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

16. All of the communal / visitor car parking areas serving the residential units shall be provided with functional electric vehicle charging points, and 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.

17. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each house plot shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interests of residential amenity and proper waste management.

18. 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, and of the housing strategy in the development plan of the area.

19. Prior to the commencement of development, the developer shall submit for the written agreement of the Planning Authority the following;

(a) Proposals for site boundary treatments. Plans and particulars shall show full details of the specific locations and extent of proposed walling/railings and shall include the provision of durable materials, with walls suitably capped and rendered.

(b) Proposals for boundary treatments around dwellings.

Reason: In the interest of visual amenity.

20. 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.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed

between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

22. 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: 16/09/2020

Michelle Fagan