



An
Bord
Pleanála

Board Direction
BD-007702-21
ABP-308413-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/03/2021.

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 'TC' zoning which applies to the site under the Fingal County Development Plan 2017-2023, under which residential development is permissible, together with the nature and scale of the existing and proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would represent an appropriate form of development, which would be in keeping with the character of the area and would not seriously injure the amenities of the area or the amenities of property in the vicinity. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

In not agreeing with the inspector regarding the imposition of a condition to raise cill levels to 1.8m above floor level for Bedroom number 3 at Ground, First and Second floors, the Board had regard to the existing balconies at these locations which are proposed to be removed, and to the residential amenity of future occupants of the apartments, and considered that, the situation with regard to overlooking would be significantly improved by the works proposed and that the condition is unwarranted.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by additional information received dated 31st July 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.

Reason: In the interest of clarity.

2. Details of external finishes shall be submitted for the written agreement of the Planning Authority prior to commencement of works, no alterations to same will be permitted in the absence of prior written consent of the Planning Authority.

Reason: In the interests of the proper planning and sustainable development of the area.

3. Prior to the commencement of development details regarding the treatment of the public realm area surrounding the proposed stair core extension shall be submitted, for the written agreement of the Planning Authority, which should include measures to preclude the use of the area for informal car parking.

Reason: In the interests of public safety and residential amenity

4. Prior to commencement of development the developer shall submit details regarding boundary treatments to the planning authority for written agreement.

Reason: In the interest of visual amenity and to protect residential amenity

5. The single car parking space shall be individually marked and assigned to the unit which it serves. The space shall be reserved for this identified use and shall not be let or sold separately.

The single car parking space shall

Reason: In the interests of the proper planning and sustainable development of the area.

6. Bicycle parking shall be provided in accordance with the Planning Authority's requirements for same, details of which shall be submitted and agreed in writing prior to the commencement of development.

Reason: In the interests of residential amenity and to ensure adequate provision is made for bicycle storage.

7. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.

Reason: In the interest of public health.

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

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

9. 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 include details of intended construction practice, noise management measures, parking proposals for construction workers on the site and storage of materials and waste within the site.

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

10. 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.

11. 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: 12/03/2021

Michelle Fagan