



An
Bord
Pleanála

Board Direction

BD-007741-21

ABP-308574-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/03/2021.

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 design, nature and scale of the proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would represent an appropriate form of development in the area, would not seriously injure the amenities of the area or the residential amenities of property in the vicinity and would not present any risk to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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| 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 21 st September 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 |
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| | <p>to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p> |
| 2. | <p>The proposed replacement house shall be finished with red brick on the entirety of the front (south) elevation, details of which shall be submitted and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity</p> |
| 3. | <p>Details regarding the proposed public footpath extension along New Lane shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>Reason: In the interests of public safety and residential amenity</p> |
| 4. | <p>Details of boundary treatments shall be submitted and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity and to protect residential amenity</p> |
| 5. | <p>The car parking spaces identified on site layout drawing 03 rev 1, to serve the proposed replacement house, shall be individually marked and assigned for this purpose. The spaces shall be reserved for this identified use and shall not be used, let or sold separately.</p> <p>Reason: In the interests of the proper planning and sustainable development of the area.</p> |
| 6. | <p>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.</p> <p>Reason: In the interest of public health.</p> |
| 7. | Standard Irish Water |

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| 8. | <p>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.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p> |
| 9. | <p>Site development and building works shall be carried out only between the hours of 0700 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p> |
| 10. | <p>(a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling or at any point along the boundary of the site shall not exceed:-</p> <p>(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.</p> <p>(ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.</p> <p>At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.</p> <p>(b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.</p> <p>Reason: To protect the residential amenities of property in the vicinity of the site.</p> |
| 11. | <p>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</p> |

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| | <p>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.</p> <p>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.</p> |
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Board Member

Date: 24/03/2021

Terry Prendergast