

An
Bord
Pleanála

Board Direction
BD-008772-21
ABP-310091-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/07/2021.

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 location of the site in the outer suburbs of the city, to the established pattern of development in the area, the site size and configuration and the footprint, scale, form, height and design of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and natural amenities of the area or the residential amenities of the adjoining property by reason of overdevelopment, visual obtrusiveness and overbearing impact, or overlooking would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be and shall be carried out in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars lodged with the planning authority on 27th November, 2020 and 22nd February, 2021 except as may otherwise be required in order to comply with the following conditions Where such conditions require points of detail to be agreed with the planning authority,

these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The applicant shall provide for and adhere to the following requirements to the satisfaction of the planning authority:

- A suitably qualified arborist shall be appointed for the duration of the construction period details of whom shall be notified to the planning authority in writing prior to the commencement of the development.
- The tree protection measures specified in the arboriculture method statement submitted to the planning authority on 22nd February, 2021 shall be fully implemented and full details of the proposed monitoring system to include provision for supervision throughout the duration of the excavation works by the appointed arborist shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of clarity and the protection of the existing trees, natural amenities within and in the immediate vicinity of the site.

3. The following modifications shall be provided for and adhered to in the development:

- The first-floor south elevation windows shall be top hung pivot only and fitted with obscure glazing.

Prior to the commencement of development revised elevation drawings shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason. In the interest of the protection of the residential amenities of the adjoining property.

4. The existing gate in the rear boundary of the site shall be replaced with a hardwood timber gate opening inwards only prior to the occupation of the

dwelling. Full details in plan, elevation and section shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of clarity and the visual and residential amenities of the area.

5. Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The use of timber on the front façade shall be omitted and replaced with natural stone facing.

Reason: In the interest of visual amenity.

6. 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 construction traffic routing and management, construction parking, materials storage, noise management measures and off-site disposal of construction/demolition waste.

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

7. Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours 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.

8. Landscaping shall be carried out in accordance with an agreed scheme and shall be completed within the first planting season following the substantial

completion of external construction works. All existing party boundary walls and hedgerow shall be retained. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenities.

9. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk including in the basement area, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.


10. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

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



Michelle Fagan

Date: 22/07/2021

