

**An
Bord
Pleanála**

**Board Direction
BD-009161-21
ABP-310510-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/09/2021.

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, scale, layout and nature of the proposed development, to the form and layout of the previously approved residential development on site (Reg. Ref: 19/314), it is considered that, subject to the conditions set out below, the proposed development would be acceptable in terms of land use zoning, overall layout, including public realm and visual amenity, would not seriously injure the quality of open space within the overall residential scheme, would be acceptable in terms of pedestrian and traffic safety and would constitute an appropriate form of development at this location. 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 21st day of April 2021, 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 the commencement of development, or as otherwise stipulated by the conditions hereunder, and the development shall be carried and completed in accordance with the agreed particulars.

2. This development relates to two number additional 5 bedroom detached dwellings, amendments to previously approved house type D at sites 7 to 12 inclusive and associated site works as set out in the application documentation. Apart from the departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission under planning register reference number PD19/314, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The design and layout of the public open space area, and the vehicular access/egress to the two additional dwellings (house type E), shall be carried out and completed in accordance with the details as set out for Option 1, in the Landscape Design Statement submitted to the planning authority on the 21st day of April 2021. For the avoidance of doubt, Option 1 incorporates the home zone/shared surface area to the immediate north of the two additional dwellings. Details of finishes of hard and soft landscaping, 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.

4. Details of materials, colours and textures to all external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

5. Drainage requirements 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.

6. Prior to the commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

7. 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 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 amenities of property in the vicinity.

8. 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 traffic management, noise management measures and off-site disposal of construction waste.

Reason: In the interest of public safety and the amenities of the area.

9. 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.

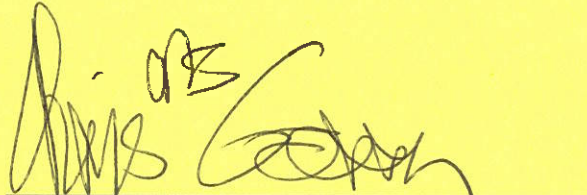
Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

10. 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



Chris McGarry

Date: 28/09/2021