

An
Bord
Pleanála

Board Direction
BD-012687-23
ABP-313446-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/06/2023.

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 zoning objectives for the area and the pattern of development in area, and the plans and particulars submitted at appeal, including the report submitted from the arborist, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety, public health and convenience. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application and appeal, 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The vehicular entrance shall be a maximum of 3.0 metres in width and shall not have outward opening gates.
- (b) The footpath and kerb shall be dished and a revised entrance shall be provided to the requirements of the planning authority. The dishing shall be a maximum of 3.0 metres in width and shall be located away from the existing street tree, in as far as possible.
- (c) All costs incurred by the planning authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In order to ensure a satisfactory standard of development.

3. (a) All works shall be carried out under the supervision of a specialist arborist in a manner that shall ensure that all major roots of the tree are protected and branches retained.
- (b) No further works shall take place on site until a construction management plan specifying measures to be taken for the protection and retention of the street tree, together with proposals to prevent compaction of the ground over the roots of the tree, has been submitted to, and agreed in writing with, the planning authority. Any excavation within the tree protection area shall be carried out using non-mechanised hand tools only.

Reason: To ensure that the street tree is not damaged or otherwise adversely affected by building operations.


4. Site development and construction works shall be carried out in such a manner as to ensure that the adjoining roads are kept clear of debris, soil and other material, and cleaning works shall be carried out on the adjoining public roads by the developer and at the developer's expense on a daily basis.

Reason: To protect the residential amenities of property in the vicinity.

5. 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 and surface water management.

Board Member



Mary Cregg

Date: 30/06/2023

