

An
Bord
Pleanála

Board Direction
BD-015798-24
ABP-316015-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/03/2024.

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 site's location within the settlement boundary of Muff, to national and local policy objectives which support compact growth, the location of the site within the Development Boundary of Muff, the pattern of development in the area and the nature and scale of the proposed development it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the established character or residential or visual amenities of the area and would not endanger public safety by reason of traffic hazard. 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 8th of February 2023 and the 4th of April 2023, 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. The apartments the subject of this permission shall be used as permanent residential units only.

Reason: In the interest of clarity.

3. The following requirements shall be adhered to in the development:

- (a) The proposed first floor windows serving the stairwell at proposed apartment no. 2 (the easternmost apartment block) shall be permanently glazed with obscure glass.

- (b) Storage sheds of minimum 8sq metres in area and permanent block construction to accommodate domestic storage and cycle storage shall be provided for each apartment unit.

Reason: In the interest of residential amenity and sustainable transport

4. Proposals for a naming scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Complete details (including design, size, configuration, specification, location etc.) of the signage shall be submitted to and agreed with the planning authority prior to being erected.

Reason: In the interest of visual amenity and orderly development.

5. Landscaping within the site shall be carried out in accordance with the Landscaping Plan submitted to the Planning Authority on the 8th of February 2023 prior to occupation of the apartments.

Reason: In the interest of visual and residential amenity.

6. Water supply and drainage arrangements, including the disposal of surface water from the site, shall be in accordance with the detailed requirements of the planning authority. No surface water from the site shall be permitted to discharge to the public road.
Reason: In the interests of public health.
7. The applicant shall enter into water and wastewater connection agreements with Uisce Eireann, prior to commencement of development.
Reason: In the interest of public health.
8. The vehicular entrances, perimeter footpaths, kerbs and associated works of the development shall comply with the requirements of the planning authority and i with the standards set out in the Design Manual for Urban Roads and Streets (DMURS). All works shall be completed prior to the occupation of the permitted dwellings.
Reason: In the interests of pedestrian and traffic safety.
9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.
Reason: In the interests of visual 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 construction of 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. The plan shall provide a demolition management plan, together with details of intended construction practice for the development, including a detailed traffic management plan, pollution

control and contingency plan, hours of working, and noise/dust management measures.

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

12. Site preparation and construction shall adhere to best practice and shall conform with the Inland Fisheries Ireland Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites.

Reason: To preserve the amenities of the area and to prevent water pollution.

13. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

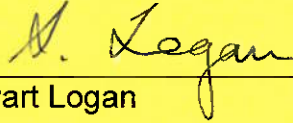
Reason: To ensure the satisfactory completion of the development.

14. 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



Stewart Logan

Date: 20/03/2024