

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Sligo County

Planning Register Reference Number: P15/437

An Bord Pleanála Reference Number: PL 21.246255

APPEAL by Woodstream Residents Association of 79 Woodstream, Coolaney, County Sligo against the decision made on the 9th day of February, 2016 by Sligo County Council to grant subject to conditions a permission to Teresa McSharry care of Moytechnics Building Services of 9 The Paddocks, Ballina, County Mayo in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: (1) The construction of seven number three bedroom, two-storey terraced houses with domestic garages on site numbers 47a, 47b, 48a, 48b, 49a, 49b and 49c in the Woodstream housing development, (2) connection to all services in the Woodstream housing development, previous grant of planning permission, planning register reference number PL.04/1011 refers and (3) the carrying out of all ancillary site works at Woodstream, Carrownacleigha, Coolaney, County Sligo.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Sligo County Development Plan 2011-2017 including the Mini Plan for Coolaney-Rockfield, the pattern of development in the area and the scale and infill nature of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not conflict with the Core Strategy of the said Sligo County Development Plan, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The roof colour shall be blue-black, black, dark brown or dark grey in colour only and other material and finishes shall be complimentary to those existing in the housing development.

Reason: In the interest of visual amenity.

3. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

4. 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.

5. The internal road network serving the proposed development including turning bay, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interests of amenity and of traffic and pedestrian safety.

6. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

7. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This scheme shall include the following:-
- (a) details of all proposed hard surface finishes, including the open plan front gardens and including samples of proposed paving slabs/materials for footpaths and kerbing and road surfaces within the development,
 - (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings,
 - (c) details of proposed street furniture, including lighting fixtures and seating, and
 - (d) details of proposed boundary treatments at the perimeter of the site and rear gardens, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1500 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

9. Prior to commencement of development, proposals for a name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development.

10. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the “Recommendations for Site Development Works for Housing Areas” issued by the Department of the Environment and Local Government in November, 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

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

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

12. 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 and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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 and maintenance of the development until taken in charge.

13. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.