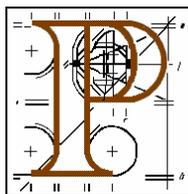


An Bord Pleanála



Inspector's Report

PL 24.242613

DEVELOPMENT: Permission to construct bungalow (of 6.5 metre height over floor), entrance and ancillary works, at Mweelahorna, Ring, County Waterford.

PLANNING APPLICATION

Planning Authority: Waterford County Council.

Planning Authority Reg. No.: 13/315.

Applicant: Sheena Manahan.

Application Type: Permission

Planning Authority Decision: **GRANT PERMISSION**
subject to 8 Conditions

APPEAL

Appellant: Michael Nagle

Type of Appeal: **THIRD PARTY**

Observer: An Taisce

DATE OF SITE INSPECTION: 24th January 2014

INSPECTOR: Dermot Kelly

REPORT FORMAT

This report follows my examination of this appeal including reading the documents on file, and follows a Site Inspection on 24th January 2014 which included the Photographs in Appendix B of this report. These Photographs were taken with an Olympus OM2 SLR film camera fitted with a 50mm fixed-focus standard lens which approximates normal viewing in short distance views.

1. SITE LOCATION

2. SITE DESCRIPTION

3. PROPOSED DEVELOPMENT

4. NOTIFICATION OF DECISION OF PLANNING AUTHORITY
Submissions and Relevant Reports

5. APPEAL GROUNDS

6. APPEAL RESPONSES

7. PLANNING HISTORY

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9. PLANNING ASSESSMENT – Issues and Evaluation

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APPENDICES

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1. SITE LOCATION

The appeal site is located within a 'Residential' zoned area in the townland of Mweelahorna, Ring in the Maoil A'Choirne area to the west of the village of Ring (An Rinn) to the south of Dungarvan town in County Waterford, as indicated on **APPENDIX A - LOCATION MAP**.

2. SITE DESCRIPTION

2.1 The appeal site lands at Mweelahorna, Ring, County Waterford are approximately 0.1 hectares in area and are located in the Maoil A'Choirne area described under 'Context' in the 2011-2017 Waterford County Development Plan as follows:

"An Rinn Gaeltacht is located on the Ring Peninsula, south-east of Dungarvan. It comprises of dispersed housing with settlement centres at Baile na nGall, Heilbhic, Maoil A'Choirne and Sean Phobail."

2.2 The Planning Report for the Planning Authority described the Site:

"The site is located in an area zoned R1 residential in Mweelahorna. The site notice was in situ. The 0.1 hectare site is located off R674. The land is higher than the road and slopes northwards. The site is bounded by hedges to the front elevation and is undefined on all other boundaries. There is a line of houses – single, dormer and two-storey on the south side of the R674. There is a low profile bungalow across the road. The site has views north over Dungarvan Bay."

2.3 The Pre-Planning Report submitted with the Planning Application described the Subject Site as follows:

"The subject site is located along the R674 within the settlement boundary of Mweelahorna. The site is zoned R1* in the Waterford County Development Plan the purpose of which is to protect the amenity of existing residential development and to provide new residential development. Therefore the principle of a house at this location is open for consideration. Housing need criteria does not apply in this instance as the site is zoned for residential development.

The Planning Authority would have no objection to the house design as submitted at pre-planning stage.

The site is serviced with public infrastructure and the applicant would be required to connect into same."

*Note: Zoning is 'R2' and not 'R1', see Appendix C – Development Plan.

- 2.4** The attached Photographs in **APPENDIX B – PHOTOGRAPHS** (including Key Plan which indicates the approximate Photograph locations) illustrate the nature of the appeal site and its context.

3. PROPOSED DEVELOPMENT

3.1 Planning Application

The site area is stated as 0.1 hectares. The proposed development comprises as specified in the public notices “permission to construct bungalow (of 6.5 metre height over floor), entrance and ancillary works, at Mweelahorna, Ring, County Waterford.”

The proposed dwelling would be connected to the public services already existing in this Residential zoned area.

3.2 Unsolicited Further Information Submission

This Submission received 25th September, 2013 in reply to the Third Party Submission on the Planning Application included stating as follows in regard to the Proposed Entrance:

“Revised Site Layout Plan showing proposed entrance moved to the western side of the proposed site frontage, to which we are agreeable, this revised entrance will better suit Mr Nagle as it does not directly face his living room and car headlights entering and exiting the entrance will not shine directly into his property.

The rainwater coming off the subject site that Mr Nagle has concerns about will (subject to permission being granted) be handled by a new drain constructed at the back of our site, furthermore rainwater from hard surface areas on our site will be directed to falls to gullies and thence to stormwater drain. A continuous drain will be installed across our proposed entrance to stop rainwater exiting our site onto the public roadway as per Waterford County Council Planning Department requirements.

The landowner Paul O’Donnell has confirmed there is no well/spring within the proposed site.”

3.3 Submitted Drawings and Documentation

The drawings and documentation received 6th August 2013 and 25 September 2013 have been examined and are noted, in particular the submitted revised Site Layout Drawing (see Key Plan drawing in Appendix B of this report) which indicates the location of the proposed dwelling on the appeal site and the entrance driveway relocated to the

west away from the existing dwelling on the opposite side of the public road. The submitted detailed drawings of the proposed development as revised are noted.

4. NOTIFICATION OF DECISION OF PLANNING AUTHORITY - Submissions and Relevant Reports

4.1 Third Party Submission on Planning Application

The Submission received is noted and stated objections to the proposed development similar to as subsequently submitted in the Third Party Appeal Grounds as set out in Part 5 of this Report. The Planning Report for the Planning Authority summarised the Submission as follows:

“Michael Nagle – property across the road. Main issues were:

The location of the entrance and the impact of traffic/headlights on his main living area to the front of his house. Overlooking. One-off housing. Rainwater runoff. Contamination of his water supply due to construction works and contamination from petrol/oil residues from parked vehicles.”

4.2 Road Engineer’s Report

This report, dated 24th September 2013, included as follows:

“The site is located within the area zoned residential. Normally we require a 25-metre setback for a regional road. This site is located within the speed limits. Because of its urbanised location the proposed setback of 15 metres is deemed adequate. It will create perception of narrowing of the road, and current road design philosophy is that narrow roads in residential areas are safer roads.”

4.3 Planning Report

This report, dated 26th September 2013, included documenting the Planning History for the area. Pre-Planning Consultations were summarised and a Site Description followed. The Development Plan Zoning and Scenic Landscape Evaluation were noted and it was considered that the proposed dwelling and landscaping was acceptable. The Roads Report dated 26th September 2013 was noted and it was considered that the setback of the proposed dwelling from the public road was acceptable as stated.

The Third Party Submission received was noted and considered as follows:

“The concerns have been noted. Unsolicited further information was received on the 25th September 2013 which indicated that the proposed entrance is to be relocated to the western side of the proposed site. This information also indicated solutions to the rainwater runoff issue. This is deemed satisfactory.”

Permission was recommended subject to the Conditions as stated in the notification of decision of the Planning Authority

4.4 Notification of Decision of Planning Authority

The Planning Authority, Waterford County Council, issued a notification of decision to **GRANT PERMISSION** for the proposed development subject to 8 standard-type Conditions including Condition No. 3 specifying the finished floor level of the proposed dwelling on the site.

5. APPEAL GROUNDS

Third Party Appeal

The appeal submissions stated as follows:

“The entrance of the proposed development is situated directly opposite my living room window where I spend a lot of time.

The headlights from vehicles leaving the proposed development will shine directly into my living space and I am requesting that the said entrance be relocated.

The water supply to my property is fed by a natural spring which traverses the site of the proposed development and the spring will be liable to contamination.

According to the planning application drawings the living room of the proposed development will overlook my back yard which is unacceptable.

The overall height of the development is 6.5 metres which will substantially overlook my property. The application drawings as submitted suggest that there will be future development of the attic space, roof windows, truss design, etc. which will overlook my property further.

I draw the Planner’s attention to the substantial amount of property that is currently available for sale and also the large amount of property currently vacant in the Ring area. Is it really necessary for yet another one off house to be added to an already over-developed area?

The rainwater coming off this land in recent years has been substantial, leading to water crossing the road and entering my property. With the

installation of new hard surface areas, i.e. concrete/tarmac the amount of rainwater crossing the road into my property will only increase.

If the development is to proceed I am also concerned about the contamination of my water supply from building works and contamination from petrol/oil residues from parked vehicles when the project is complete.”

6. APPEAL RESPONSES

6.1 Applicant’s Appeal Response

This Appeal Response received 18th November 2013 included:

“Decision to grant permission issued by Waterford County Council (condition no. 1 of PD13/315) references additional information supplied on 25th September, 2013 on behalf of Ms Sheena Manahan namely the relocation of proposed entrance further to west to address concerns of Mr Nagle – the new entrance will not be directly opposite his living room and car headlights entering and exiting the new entrance will not shine directly into his living space. The notification of decision to grant permission addresses these concerns of Mr Nagle in its current form.”, and also

“The landowner of the subject site has confirmed that there is no well/spring within the site. We understand the water supply serving Mr Nagle’s property to be a private bore well of some considerable depth which is located quite near the public roadway, the site subject of this appeal is too near to Mr Nagle’s bore well to be part of the source area for his water supply, furthermore all surface water/soil water emissions from the proposed dwelling and hard-standings will be piped directly into the public mains and will pose no threat to any water supply. Mr Nagle’s concerns in this regard are unfounded”, and also

“Mr Nagle’s backyard is across the public road from the subject site and traffic on this road can overlook his backyard. The proposed dwelling subject of this appeal is further from his backyard than this traffic and would have to look across the public road before observing his property.

Future development of the attic space of the dwelling under appeal will necessitate a new planning application as required by condition no. 5 of PD13/315. Mr Nagle can object to this application if one is made in the future.

Applicant wishes to build close to her parents who live circa 500 metres from the subject site where she grew up. The subject site is zoned for residential development.

It is not our intention to be anything other than a good neighbour to the objector, we hope the foregoing information illustrates that the notification of decision to grant planning permission issued under planning ref. no. PD13/315 already addresses the concerns of Mr Michael Nagle and request that An Bord Pleanála would expedite the granting of this permission in its current form.”

6.2 Planning Authority Appeal Response

No Appeal Response was received.

6.3 Appeal Observation of An Taisce

This Appeal Observation received 28th November 2013 included:

“The proposal would generate ribbon development contrary to Appendix 4 of Sustainable Housing Guidelines 2005 which states:

‘These guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. Other forms of development, such as clustered development, well set back from the public road and served by an individual entrance can be used to overcome these problems in facilitating necessary development in rural areas.’

If permitted this proposal would result in seven houses along a 250 metre length of road frontage. It is stated in Appendix 4 of Sustainable Rural Housing Guidelines 2005:

‘In assessing individual housing proposals in rural areas planning authorities will therefore in some circumstances need to form a view as to whether that proposal would contribute to or exacerbate ribbon development. Taking account of the above and the dispersed nature of existing housing in many rural areas, areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where five or more houses exist on any one side of a given 250 metres of road frontage”, and also

“I therefore submit that this development can only

Be prejudicial to health and safety of the area and the safety of those using the road.

Be contrary to objectives to minimise future demands for the provision of infrastructure.

Be injurious to the visual amenities of this rural area.

The proposed development, when taken in conjunction with existing and permitted housing development in the vicinity, would constitute an excessive density of ribbon development in a rural area, outside of any designated settlement. The proposed development would lead to demands for the uneconomic provision of services and community facilities and would seriously injure the visual amenities of this rural area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”

7. PLANNING HISTORY

The Planning Report for the Planning Authority included an extract from the Planning Register Map for the area. The Planning Authority has not forwarded history documents though an extract from the Planning Register Map for the area is on file.

8. DEVELOPMENT PLAN

8.1 The provisions of the 2011 – 2017 Waterford County Development Plan have been considered, and in particular the following provisions which are attached in **Appendix C – Development Plan:-**

The ‘R2 Residential’ land use zoning objective for the appeal site:

“Protect amenity of existing residential development and provide new residential development – low density (clustered housing, serviced sites, large plot sizes)”.

- Land Use Zoning Map for the Maoil A’Choirne Area in Volume 2 of the Development Plan.

9. PLANNING ASSESSMENT – Issues and Evaluation

Further to my examination of the documents on file and the site inspection, it is considered that it is appropriate to undertake a planning assessment of the issues raised by the Applicant, the Planning Authority, the Appellant and the Observer in the course of this appeal, in regard to the proposed development.

The appeal site is located within a ‘Residential’ zoned area in the townland of Mweelahorna, Ring in the Maoil A’Choirne area to the west of the village of Ring (An Rinn) to the south of Dungarvan town in County Waterford, as indicated on **APPENDIX A - LOCATION MAP**.

The appeal site lands at Mweelahorna, Ring, County Waterford are approximately 0.1 hectares in area and are located in the Maoil A'Choirne area described under 'Context' in the 2011-2017 Waterford County Development Plan as follows:

"An Rinn Gaeltacht is located on the Ring Peninsula, south-east of Dungarvan. It comprises of dispersed housing with settlement centres at Baile na nGall, Heilbhic, Maoil A'Choirne and Sean Phobail."

I note the Planning Report for the Planning Authority:

"The site is located in an area zoned R1 residential in Mweelahorna. The site notice was in situ. The 0.1 hectare site is located off R674. The land is higher than the road and slopes northwards. The site is bounded by hedges to the front elevation and is undefined on all other boundaries. There is a line of houses – single, dormer and two-storey on the south side of the R674. There is a low profile bungalow across the road. The site has views north over Dungarvan Bay."

I note the Pre-Planning Report submitted with the Planning Application described the subject site as follows:

"The subject site is located along the R674 within the settlement boundary of Mweelahorna. The site is zoned R1* in the Waterford County Development Plan the purpose of which is to protect the amenity of existing residential development and to provide new residential development. Therefore the principle of a house at this location is open for consideration. Housing need criteria does not apply in this instance as the site is zoned for residential development.

The Planning Authority would have no objection to the house design as submitted at pre-planning stage.

The site is serviced with public infrastructure and the applicant would be required to connect into same."

*Note: Zoning is 'R2' and not 'R1', see Appendix C – Development Plan.

I note the proposed development comprises as specified in the public notices "permission to construct bungalow (of 6.5 metre height over floor), entrance and ancillary works, at Mweelahorna, Ring, County Waterford.", and that the proposed dwelling would be connected to the public services already existing in this Residential-zoned area within the area of the serviced settlement centre at Maoil A'Choirne.

I note the Submission on the Planning Application of the Third Party Appellant who resides on the opposite side of the public road (see Photographs in Appendix B) which objected to the proposed

development for reasons reiterated in the Appeal Grounds. I note the Unsolicited Further Information Submission stated as follows.

“Revised Site Layout Plan showing proposed entrance moved to the western side of the proposed site frontage, to which we are agreeable, this revised entrance will better suit Mr Nagle as it does not directly face his living room and car headlights entering and exiting the entrance will not shine directly into his property.”

I note also the revised drainage proposals as specified.

I note the Road Engineer’s Report for the Planning Authority stated:

“The site is located within the area zoned residential. Normally we require a 25-metre setback for a regional road. This site is located within the speed limits. Because of its urbanised location the proposed setback of 15 metres is deemed adequate. It will create perception of narrowing of the road, and current road design philosophy is that narrow roads in residential areas are safer roads.”

I note the Planning Report for the Planning Authority which considered that the proposed set-back dwelling and landscaping development was acceptable in the context of the Development Plan ‘Residential’ zoning of the site and which considered as follows in regard to the Third Party Submission relocating the proposed vehicular entrance to the site:

“The concerns have been noted. Unsolicited further information was received on the 25th September 2013 which indicated that the proposed entrance is to be relocated to the western side of the proposed site. This information also indicated solutions to the rainwater runoff issue. This is deemed satisfactory.”

I note the Planning Authority, Waterford County Council, issued a notification of decision to **GRANT PERMISSION** for the proposed development subject to 8 standard-type Conditions including Condition No. 3 specifying the finished floor level of the proposed dwelling on the site which is located within a Residential-zoned area.

I note the subsequent Third Party Appeal Grounds which reiterated the earlier Submission on the Planning Application including stating:

“The entrance of the proposed development is situated directly opposite my living room window where I spend a lot of time.

The headlights from vehicles leaving the proposed development will shine directly into my living space and I am requesting that the said entrance be relocated.”, and also

“The overall height of the development is 6.5 metres which will substantially overlook my property. The application drawings as submitted suggest that there will be future development of the attic

space, roof windows, truss design, etc. which will overlook my property further.”, and also

“I draw the Planner’s attention to the substantial amount of property that is currently available for sale and also the large amount of property currently vacant in the Ring area. Is it really necessary for yet another one off house to be added to an already over-developed area?”

I note the Applicant’s Appeal Response submission that the entrance driveway had been relocated as requested by the Appellant and

“The landowner of the subject site has confirmed that there is no well/spring within the site. We understand the water supply serving Mr Nagle’s property to be a private bore well of some considerable depth which is located quite near the public roadway, the site subject of this appeal is too near to Mr Nagle’s bore well to be part of the source area for his water supply, furthermore all surface water/soil water emissions from the proposed dwelling and hard-standings will be piped directly into the public mains and will pose no threat to any water supply. Mr Nagle’s concerns in this regard are unfounded”, and also

“Mr Nagle’s backyard is across the public road from the subject site and traffic on this road can overlook his backyard. The proposed dwelling subject of this appeal is further from his backyard than this traffic and would have to look across the public road before observing his property.

Future development of the attic space of the dwelling under appeal will necessitate a new planning application as required by condition no. 5 of PD13/315. Mr Nagle can object to this application if one is made in the future.

Applicant wishes to build close to her parents who live circa 500 metres from the subject site where she grew up. The subject site is zoned for residential development.

It is not our intention to be anything other than a good neighbour to the objector, we hope the foregoing information illustrates that the notification of decision to grant planning permission issued under planning ref. no. PD13/315 already addresses the concerns of Mr Michael Nagle and request that An Bord Pleanála would expedite the granting of this permission in its current form.”

Further to the above Applicant’s Appeal Response in my opinion the concerns of the Third Party Appellant have been addressed in the context that the appeal site lands are subject to the following Development Plan Land Use Zoning Objective:-

“Protect amenity of existing residential development and provide new residential development – low density (clustered housing, serviced sites, large plot sizes)”.

I note the Appeal Observation received 28th November, 2013 included: “The proposal would generate ribbon development contrary to Appendix 4 of Sustainable Housing Guidelines 2005 which states:

‘These guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. Other forms of development, such as clustered development, well set back from the public road and served by an individual entrance can be used to overcome these problems in facilitating necessary development in rural areas.’

If permitted this proposal would result in seven houses along a 250 metre length of road frontage. It is stated in Appendix 4 of Sustainable Rural Housing Guidelines 2005:

‘In assessing individual housing proposals in rural areas planning authorities will therefore in some circumstances need to form a view as to whether that proposal would contribute to or exacerbate ribbon development. Taking account of the above and the dispersed nature of existing housing in many rural areas, areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such as a high density of almost continuous road frontage type development, for example where five or more houses exist on any one side of a given 250 metres of road frontage”, and also

“I therefore submit that this development can only

Be prejudicial to health and safety of the area and the safety of those using the road.

Be contrary to objectives to minimise future demands for the provision of infrastructure.

Be injurious to the visual amenities of this rural area.

The proposed development, when taken in conjunction with existing and permitted housing development in the vicinity, would constitute an excessive density of ribbon development in a rural area, outside of any designated settlement. The proposed development would lead to demands for the uneconomic provision of services and community facilities and would seriously injure the visual amenities of this rural area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”

In regard to this Appeal Observation I note that the appeal site cannot be considered to be located within a rural area as submitted as the

appeal site is located within a designated settlement which includes services provision and is within the 50kph speed limit zone and is within the 'R2 – Residential' zoned lands under the Development Plan: "Protect amenity of existing residential development and provide new residential development – low density (clustered housing, serviced sites, large plot sizes)".

In this regard I note the provisions of the 2011 – 2017 Waterford County Development Plan which have been considered, and in particular the following provisions which are attached in **Appendix C – Development Plan:-**

The 'R2 Residential' land use zoning objective for the appeal site:

"Protect amenity of existing residential development and provide new residential development – low density (clustered housing, serviced sites, large plot sizes)", as indicated on the Land Use Zoning Map for the Maoil A'Choirne Area in Volume 2 of the Development Plan.

On balance having considered all the submissions on file and in the context of the above specified land use zoning objective 'R2' for the appeal site as follows:

"Protect amenity of existing residential development and provide new residential development – low density (clustered housing, serviced sites, large plot sizes)";

permission is recommended for the proposed development subject to Conditions as set out hereunder.

Appropriate Assessment

I note the Planning Report for the Planning Authority which under the Appropriate Assessment Screening Report 'Screening Conclusion Statement' concluded as stated: "Significant Impacts can be ruled out" in regard to the proposed in relation to the European Natura 2000 Sites as identified. Having regard to the location of the subject site and to the nature of the proposed development, and the intervening distance with the identified Natura 2000 Sites, I consider that no appropriate assessment issues arise in this case. In my opinion the proposed development either individually or in combination with other plans or projects, would not be likely to have a significant effect on a Natura 2000 Site.

10. CONCLUSIONS AND RECOMMENDATION

In conclusion, further to the above assessment of matters pertaining to this appeal, including consideration of the submissions of each party to the appeal, and including the site inspection, I consider that the proposed development would be in accordance with the proper planning and sustainable development of the area having regard to the relevant provisions of the Development Plan, which are considered reasonable, and I recommend that permission be granted for the proposed development for the stated Reasons and Considerations in the First Schedule and subject to the Conditions as stated in the Second Schedule below.

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.

REASONS AND CONSIDERATIONS

Having regard to the 'R2 – Residential' land use zoning objective for the serviced settlement centre in the Maoil A'Choirne area including the subject site under the 2011 – 2017 Waterford County Development Plan – which is "Protect amenity of existing residential development and provide new residential development – low density (clustered housing, serviced sites, large plot sizes)", and the pattern of development in this serviced area, and having regard in particular to the submitted Landscape Plan indicating landscaping along the site boundaries and the revised location of the site entrance as submitted, it is considered that, subject to compliance with the Conditions in the Second Schedule, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not be prejudicial to public health 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 undertaken and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 25th day of September, 2013, 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 undertaken and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the site entrance as relocated and the roadside boundary treatment and site drainage including disposal of surface water, shall be agreed with the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

3. Details of site levels and in particular the finished floor level of the proposed dwelling, shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Details of external finishes to the proposed dwelling shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The attic area of the proposed dwelling shall be used for storage purposes only as submitted.

Reason: In the interest of orderly development.

6. Landscaping of the site and site boundaries shall be undertaken in accordance with the submitted Landscaping Plan and maintained thereafter with replacement of any failures in the following planting season.

Reason: In the interest of visual amenity.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects",

published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interests of sustainable waste management.

8. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

DERMOT KELLY
SENIOR PLANNING INSPECTOR

10th February, 2014.

sg

APPENDIX A - LOCATION MAP
APPENDIX B - PHOTOGRAPHS (incl. KEY PLAN)
APPENDIX C - DEVELOPMENT PLAN