



An
Bord
Pleanála

Inspector's Report ABP305593-19

Development	Construction of 2 no. infill residential buildings each accommodating 11, 1-bedroom independent living units (totally 22 units).
Location	Lands to the rear of St. Agnes Convent, Armagh Road, Crumlin, Dublin 12.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3544/14.
Applicant	St. Agnes Property Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party -v- Refusal.
Appellant	St. Agnes Property Limited.
Observers	None.
Date of Site Inspection	13 th January 2020
Inspector	Paul Caprani.

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1.0 Introduction

ABP305593-19 relates to a first party appeal by St. Agnes Property Limited against the decision of Dublin City Council to issue notification to refuse planning permission for the construction of two infill residential buildings each accommodating 11, 1-bedroom independent living units to the rear of St. Agnes Convent, Armagh Road, Crumlin, Dublin 12. Dublin City Council refused planning permission on the basis that the proposed development would have an overbearing impact and would seriously injure the residential amenities of properties along Stanaway Road and would also result in a reduction of communal open space/circulation space between the blocks in question.

2.0 Site Location and Description

- 2.1. The appeal site relates to a 1.38 hectare site which is rectangular in shape and is located centrally within an urban block bounded by Captain's Road to the south-west, Stanaway Road to the south-east and Cashel Road to the north-east. St. Agnes National School and Convent is located to the north-west of the subject site and fronts onto Armagh Road. The site is located within an area with established residential and community facilities. The residential dwellinghouses backing onto the subject site comprise of two-storey structures comprising of former Dublin Corporation dwellings dating from the mid to late 1930s. The existing school to the north of the site facing onto Armagh Road dates from 1953.
- 2.2. The site formerly comprised of a greenfield undeveloped area but has been the subject of two more recent planning applications (files attached) where permission was granted in 2013 under two separate applications for an integrated health care and residential care/sheltered accommodation facility. These decisions were granted on appeal by An Bord Pleanála under PL29S.241889 and PL29S.241890 (see planning history below).
- 2.3. The sheltered accommodation/residential care buildings are currently nearing completion while the larger nursing home/residential care facility which is centrally located within the site has recently commenced development.

- 2.4. Each of the sheltered accommodation buildings comprise of three-storey residential blocks two of which are located to the east and west of the proposed nursing home while four separate buildings are located to the rear of the site backing onto the houses on Stanaway Road.

3.0 Proposed Development

- 3.1. Planning permission is sought to insert two additional three/four storey blocks between the existing sheltered accommodation blocks located near the southern boundary of the site. One of the blocks - "Rowan Building" is to be located between "Birch Building" and "Cedar Building" near the south-western corner of the site. The other block – "Willow Building" is to be located between "Elm Building" and "Fir Building" near the south-eastern corner of the site.
- 3.2. Both blocks are identical in layout and are to accommodate 11 1-bedroomed apartments for independent living, providing a total of 22 units between both blocks. Three units are proposed on each of the floors with the third floor accommodating two units to the front of the building and a flat roof to the rear. The buildings are to rise to a maximum height of 14.4 metres and are to incorporate a yellow render finish with bands of red brick finish around the balcony areas. A 1.2 metre separation distance is incorporated between the proposed and existing blocks.

4.0 Planning Authority's Decision

4.1. Decision

- 4.1.1. In its decision dated 11th September, 2019 Dublin City Council issued notification to refuse planning permission for a single reason which is set out below.

Having regard to the close proximity, height and scale of the proposed blocks to the previously approved four blocks to the south of the scheme, and the reduction of communal open space/circulation space between the blocks, it is considered that the proposed development would have an overbearing appearance when read in conjunction with the approved blocks. The proposed development would seriously injure the residential amenities of properties along Stanaway Road by reason of overbearing development and the future occupants of the scheme by reason of

reduced communal/circulation space between the blocks. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.2. Documentation Submitted with the Planning Application

- 4.2.1. The planning application was accompanied by a Planning Report providing a background and overview to the proposed development making specific reference to the planning policy context relating to the site and its surrounding. It also details the proposed development and assesses the proposed development in the context of development standards surrounding the site. It states that the proposed units will be an expansion of the approved sheltered housing development which will be operated by an approved housing body.
- 4.2.2. Also submitted was a Site Services Design Report which provides details in relation to surface water drainage, foul drainage, water supply and flood risk.

4.3. Planning Authority's Assessment

- 4.3.1. A report from the Engineering Department Drainage Division stated that there was no objection subject to standard conditions.
- 4.3.2. A report from Roads, Streets and Traffic Department Transportation Division stating that it had objection to the proposed development subject to five standard conditions.
- 4.3.3. One observation was submitted in respect of the application objecting to the proposed development. The contents of this application have been read and noted.
- 4.3.4. The planner's report notes that the additional 22 units will bring the number of residential units on site to 125 and increase the number of blocks from six to eight within the site. It notes that the separation distance between the existing blocks and the new blocks is only 1.15 metres on either side. It is noted that one of the letters of objection on file is on behalf the management company that currently operate the sheltered accommodation permitted on site. It is stated that they do not support the proposed development and will not be providing the services in respect of these units. Concerns are also expressed that the proposal will give rise to overshadowing of the adjoining blocks (an impact on the winter garden areas of these blocks) and

will also result in significant loss of open space. The planning officer's report concurs with some of the concerns set out in the grounds of objection. In principle the Planning Authority would strongly support the provision of independent living units however, the provision of the two additional blocks in such close proximity to the approved blocks would be problematic and would now read as two long continuous blocks with a break in the middle. It is also considered that the blocks would seriously injure the residential amenities of adjoining properties along Stanaway Road and it is on this basis that it is recommended that planning permission be refused for the reasons set out above.

5.0 Planning History

- 5.1. Two history files attached and details are summarised below.
- 5.2. Under PL29S.241889 An Bord Pleanála upheld the decision of Dublin City Council and granted planning permission for a proposal comprising of a renovation and change of use of the existing convent building for medical and health services and the construction of a new three-storey primary care centre facility c.2,600 square metres in size and associated works including the demolition of existing sheds and outbuildings on site. An Bord Pleanála granted planning permission in August, 2013 subject to 27 conditions.
- 5.3. Under PLS29S.241890 the Board upheld the decision of Dublin City Council and granted planning permission for the provision of a residential care facility to include a four-storey nursing home building to accommodate 122 bedrooms and 6 no. three/four storey sheltered accommodation buildings to accommodate 120 independent living units each with a private balcony or optional winter garden, the widening of the existing access road and 59 car parking spaces together with all landscaping and ancillary works. The Board granted planning permission subject to 24 conditions in August, 2013.
- 5.4. Details of subsequent applications relating to modifications to the parent permissions referred to above are set out in the local planner's report (Reg. Ref. 3611/18, 3610/18 and 4135/17 refer).

6.0 Grounds of Appeal

- 6.1. The decision of Dublin City Council to issue notification to refuse planning permission was appealed on behalf of the applicants (St. Agnes Property Limited) by Simon Clear and Associates Planning and Development Consultants.
- 6.2. It is stated that the proposed development will provide much needed accommodation in buildings that are appropriately scaled for the suburban context. The scheme is supported by Cluid Housing who are highly experienced in the management of housing for older people. The grounds of appeal go on to set out the background and context to the application and the appeal notes that the Crumlin Primary Care Centre is complete and operational. Phase 2 comprises of the development of independent living units which commenced construction in 2018 and will be completed by the end of 2019. These units will provide much needed smaller residential units for elderly persons. There is a strong demand for such one-bedroomed units in the Kimmage/Crumlin area.
- 6.3. Phase 3 of the development will comprise of a nursing home which is due to commence imminently. The nursing home incorporates numerous facilities which will be made available to the independent living unit residents including a multi-purpose hall, gym and physio facilities as well as secure outdoor open space.
- 6.4. The grounds of appeal go on to outline planning policy as it relates to the subject site and specific reference is made to:
- The policies contained in the National Planning Framework.
 - The Regional, Spatial and Economic Strategy.
 - Urban Development and Building Height Guidelines for Planning Authorities.
- 6.5. Section 4 of the submission specifically addresses the grounds of appeal.
- 6.6. With regard to the operation and management of the proposed dwellings, the applicants can confirm that Cluid Housing has reviewed the proposal and are interested in developing social housing at this location. This organisation currently manages over 650 units across 9 local authority areas. A letter confirming Cluid's interest is attached to the appeal.

- 6.7. With regard to the potential impact on the permitted sheltered accommodation, the applicant wishes to clarify that the winter gardens within the existing units have solid curved side walls and not glazed windows. Therefore, no overlooking can occur from the proposed buildings. Furthermore, the winter gardens in question have a north-westerly aspect and cannot be overshadowed by the proposed infill blocks.
- 6.8. With regard to the reduction in communal open space, it is submitted that the spaces between the permitted buildings offer little in terms of quality outdoor amenity, being overshadowed for much of the day. It is also argued that the residents will have use of generous facilities to be provided in the nursing home.
- 6.9. With regard to the impact on Stanaway Road it is noted that in the case of the previous application for sheltered accommodation on site under PL29S.241890 this scheme was granted by both Dublin City Council and An Bord Pleanála. Condition No. 4 required the omission of one floor from Blocks A, B and C but these blocks were located at the east and western end of the site where separation distances between the blocks and adjoining dwellings were more modest. (The 'Alder', 'Birch' and 'Oak' Buildings on the plans submitted).
- 6.10. With regard to the perceived overbearing nature of the development, the proposed infill buildings respect the established building lines. Therefore, no issues with regard to overlooking or overshadowing arise.
- 6.11. It is accepted that the revised development may read as two larger buildings rather than four smaller ones. However, it can be argued that the infill blocks would create a strong urban street presentation and provide a sense of enclosure to the central amenity space. However, should the Board consider it appropriate, the applicants have submitted a revised proposal which reduces the infill blocks to three-storey in height by eliminating the uppermost floor. This allows the infill blocks to read as separate buildings within the composition.
- 6.12. In conclusion, it is stated that the proposal will provide much needed accommodation in the area and the subject site is ideally suited to provide additional units with all services already in place. The proposal is fully in accordance with national planning policy and will have very little impact in terms of the provision of communal open space. The buildings are of appropriate size and scale and have a range of important community facilities including health services and amenities on their doorsteps. An

Bord Pleanála are therefore requested to overturn the decision of the Planning Authority and grant planning permission for the proposed development.

7.0 Appeal Responses

7.1. Dublin City Council have not submitted a response to the grounds of appeal.

8.0 Development Plan Provision

8.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016-2022. The subject site is governed by the zoning objective Z15 which seeks “to protect and provide for institutional and community uses”. Residential institutional uses are a permissible use under this zoning objective and residential accommodation is open for consideration.

8.2. Section 5.5.4 of the Development Plan highlights the need to provide quality housing for all. It notes that as people live longer, the number over the age of 55 in Ireland is expected to increase substantially reaching 1.4 million by 2041 or about 22% of the total population. Dublin City Age Friendly Strategy recognises that there is a need for sufficient alternative accommodation such as sheltered accommodation and nursing homes for local communities. In this context the provision of specific accommodation for older people is supported and this will provide alternative residential choices for older people not wishing to enter nursing homes and may free up larger family homes in established residential areas. As a general rule, stepdown housing for the elderly should be located in close proximity to existing village centres/amenities to enable people to continue to interact with their local communities.

8.3. Policy QH14 seeks to support the concept of independent living and assisted living for older people to support the provision of specific purpose-built accommodation and to promote the opportunity for older people to avail of the option of downsizing. The Council seek to support the promotion of policies that will:

- Encourage/promote full usage of dwelling units.
- Incentivise property owners of underutilised dwellings to relocate to smaller age friendly dwellings.

- Actively promote surrendering larger accommodation/financial contribution schemes without compulsion.
- 8.4. Policy QH03 seeks to instigate the design of a prototype block of age family apartments for older people based on age friendly design principles in conjunction with other bodies, as appropriate in order to inform a model of good practice.
- 8.5. Policy QH4 seeks to support proposals from the Housing Authority and other approved housing bodies and voluntary housing bodies in appropriate locations subject to the provisions of the development plan.
- 8.6. Policy QH7 seeks to promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.
- 8.7. Policy QH8 seeks to promote the sustainable development of vacant or underutilised infill sites so as to favourably consider higher density proposals which respect of the design of the surrounding development and the character of the area.

9.0 EIA Screening Determination

On the basis of the information on file and the fact that the proposal constitutes 22 one-bedroomed units which is significantly below the threshold for a mandatory EIA, it is reasonable to conclude that there is no real likelihood of significant effects on the environment arising from the proposed development and therefore an environmental impact assessment is not required.

10.0 Planning Assessment

10.1. I have read the entire contents of the file, visited the site in question and have had particular regard to the Planning Authority's reason for refusal and the rebuttal arguments set out in the first party appeal. I consider the Board should address the following issues in determining the current application and appeal before it.

- The Principle of Development
- The Construction and Management of the Residential Accommodation

- Impact on Adjoining Accommodation
- Reduction of Open Space
- Impact on Dwellings on Stanaway Road
- Proposed Alterations submitted in the Grounds of Appeal

10.2. Principle of Development

- 10.2.1. The subject site is zoned Z15 to protect and provide for institutional and community use. Sheltered accommodation such as that proposed under the current application is a permissible use under this land use zoning objective. More generally, both the current City Development Plan and the National Planning Framework places greater emphasis on providing new development, particularly residential development within the existing footprint of built-up areas. There is a greater renewed emphasis on providing “compact development” and the NPF notes that the preferred approach would involve providing development that “focusses on reusing previously developed brownfield land, building up infill sites which may not have been built on before and reusing and redeveloping existing sites and buildings”. National Policy Objective 3A of the NPF seeks to deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements and Objective 3B seeks to deliver at least half of all new homes in the five largest cities and suburbs of the states.
- 10.2.2. Likewise, there are numerous policies in the Dublin City Development Plan (including Policies QH7 and QH8) which seek to promote residential development at sustainable urban densities throughout the city and to promote sustainable development of vacant or underutilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and character of the area.
- 10.2.3. Furthermore as referred to in section 8.2 above, the City Development Plan highlights the fact that people are living longer and recognises the need to provide additional alternative accommodation such as sheltered accommodation and nursing homes in local communities for the aged. In this regard the provision of specific accommodation for older people is supported and the need to provide alternative

residential choices for older people not wishing to enter a nursing home is also acknowledged in the Plan. The Plan also recognises the need to provide housing for the elderly to be located in close proximity to existing village centres and amenities to enable people to interact with their communities. The subject site in this instance is contiguous to Crumlin Primary Care Centre and is less than 500 metres from Crumlin Village to the west.

10.2.4. On this basis I consider that the principle of development is entirely acceptable on the subject site. The Board will also note that there is a precedent for similar type development on the subject site where the Board granted planning permission for 103 sheltered units in six separate blocks under Reg. Ref. PL29S.241890.

10.3. The Construction and Management of the Residential Accommodation

10.3.1. While not specifically referred to in the Planning Authority's reasons for refusal, it is apparent that the planning report notes that the existing Agency which operates and manages the permitted units on site "Fold Ireland" categorically do not support the proposed development and will not be providing the services in respect of these units. The applicant has however pointed out that the Housing Agency Cluid have expressed an interest in providing and managing the units proposed. A letter from the Cluid Housing Association has been submitted in support of this contention. This in my opinion is not strictly a matter for the Board. The Board in determining the application should merely restrict its deliberations as to whether or not the proposed unit would be in accordance with the policies and provisions in the development plan and other national guidelines and policy and whether or not the proposed development would be in accordance with the zoning objective pertaining to the site. I have argued above that this is in fact the case. Matters relating to the delivery of the units is not in my view strictly pertinent to determining the application in question.

10.4. Impact on Adjoining Accommodation

10.4.1. Both the letter of objection submitted to the Planning Authority and the local authority planner's report express concerns that the close proximity of the proposed box to the recently completed blocks would adversely impact on the amenity of the adjoining residents. Specifically, it is argued that the proximity of the inserted blocks will exacerbate overshadowing and will impact on the balcony area/winter gardens associated with the adjoining blocks at 'Birch' and 'Cedar' Buildings and 'Elm' and

'Fir' Buildings which are adjacent to the buildings proposed. The applicant in its response to the grounds of appeal points out that the winter gardens and balcony areas incorporate a solid curved side walls and not glazed windows. As a result, no overlooking can take place and the proposed buildings to be inserted will not in any way exacerbate or accentuate overshadowing of the balconies or proposed winter gardens associated with the existing buildings. Furthermore, the impact will only arise on the north facing elements of the existing buildings where there is limited direct sunlight penetration which is restricted to the early morning and late evening. The impact therefore in my opinion will be minor.

10.5. Reduction of Open Space

10.5.1. With regard to the reduction of open space within the overall 1.38 hectare site area, it is estimated that the footprint of both blocks will result in a reduction of approximately 500 square metres of private open space. This amounts to less than 4% of the overall area. Furthermore, there is a significant amount of residual open space surrounding each of the buildings with the insertion of the buildings proposed. The critical space to be provided in the case of the sheltered accommodation proposed is the provision of passive open space as opposed to more active open space. The grounds of appeal point out that the scheme will provide almost 7,000 square metres of open space primarily within the landscape central courtyard which is located less than 40 metres from the buildings in question. There is in my opinion ample provision of residual open space with the incorporation of the two blocks proposed. Again, I would refer the Board to the policy objectives contained in the current City Development Plan and the National Planning Framework which seeks to provide residential accommodation, which would include sheltered accommodation at more sustainable densities and to provide more compact development within built-up urban areas. The reduction in open space as a result of the proposed development is therefore in my opinion acceptable.

10.6. Impact on Dwellings on Stanaway Road

10.6.1. I do not accept that the proposed development will have any adverse impact on the existing two-storey dwellings fronting onto Stanaway Road over and above that associated with the units already granted permission under Reg. Ref. PL29S.241890. The current application before the Board incorporates the same

building line as the permitted blocks and the separation distance between the rear of the buildings proposed and the rear of the dwellings fronting onto Stanaway Road is for the most part in excess of 35 metres which is in accordance with the minimum standards set out in the development plan.

10.6.2. Furthermore, the design of the blocks incorporates a step down to the rear to ensure that the three-storey element of the proposed blocks face onto the rear gardens associated with Stanaway Road. The houses fronting onto Stanaway Road are ex-local authority two-storey dwellings which characteristically incorporate generous back garden lengths. The lengths of the back gardens in question will in my view mitigate against any potential overbearing issues that could possibly arise as a result of the proposed development. The site is located in an urban area and I consider that the separation distances between the existing dwellings and the proposed buildings having regard to the generally modest three-storey height of the buildings proposed are acceptable and appropriate. I therefore do not accept that any overbearing issues arise in terms of the relationship between the proposed blocks and the existing dwellings on Stanaway Road.

10.7. Proposed Alterations submitted in the Grounds of Appeal

10.7.1. The grounds of appeal suggest that if the Board have any concerns with regard to the visual amenity impacts arising from the insertion of two additional blocks it is suggested that the applicants are amenable to eliminating the third floor of the blocks proposed in order to ensure that the infill blocks read as separate buildings and the massing of the buildings are broken down.

10.7.2. I do not consider that such an alteration is warranted or justified in this instance. The blocks in question are located to the rear of institutional lands where existing buildings comprising of a school and convent and proposed buildings which include a primary residential care unit/nursing home. There is a precedent therefore of buildings of a large size and scale on the subject site. Furthermore, the blocks in question are not readily visible from vantage points along the public thoroughfare surrounding the site (Armagh Road, Captain's Road or Stanaway Road). As the applicant points out in the grounds of appeal, there is a strong demand for smaller residential units for elderly persons in this established and mature residential suburb south-west of the city. In fact, this point was readily acknowledged in the local

authority's planner's report. On this basis I consider the provision of an additional four units at third floor level would on balance, hold more advantages in terms of increasing the sheltered residential housing requirements of the area and this would outweigh any potential adverse impacts in terms of visual amenity. I therefore consider that the proposed development should be granted as originally submitted to the Planning Authority.

11.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development located in an urban area and the nature of the receiving environment together with the proximity to the nearest European site which is almost 7 kilometres away, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans and projects on a European site.

12.0 Decision

Grant planning permission for the proposed development in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

13.0 Reasons and Considerations

Having regard to the location, nature, scale and design of the proposed development, the pattern of development in the area, and the land use zoning objectives for this site as set out in the Dublin City Council Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or property in the vicinity, would integrate with the existing development in the area in a satisfactory manner, would be consistent with the sheltered housing provisions set out in the said development plan 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.

14.0 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 the 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 all external finishes associated with the proposed blocks shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

3. The proposed units shall be used for sheltered accommodation/ independent living units only.

Reason: In the interest of security and residential amenity.

4. Details of all boundary treatment and landscaping surrounding the blocks shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include the following:

- Details of all proposed hard surface finishes, kerbing on footpath

arrangements.

- The proposed locations of any trees and other landscaping features including box planting and footpath dishings etc.
- The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of residential and visual amenity.

5. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
 - (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological

excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

6. No additional signage, advertising structure/advertisements, security shutters or any other projecting elements including flagpoles shall be erected in the vicinity of the building or on the elevation of the building unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

7. Site development and building works shall be carried out only between 0800 hours and 1900 hours, Monday to Friday inclusive, between 0800 and 1400 hours Saturday and not at all on Sundays, bank holidays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where the prior written agreement of the planning authority has been received.

Reason: To protect the residential amenities of the area.

8. No additional development shall take place above roof parapet level including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment unless authorised by a further grant of planning permission.

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

9. 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 the intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

10. Prior to the commencement of development, the developer shall submit an obtain the written agreement of the planning authority to a plan containing details for the management of waste (and, or in particular recyclable materials) within the development including the provision of facilities for the storage, separation and collection of the waste and in particular recyclable materials and the on-going operation of these facilities.

Reason: To provide appropriate management of waste and in particular recyclable materials in the interest of protecting the environment.

11. Water supply and drainage arrangements including the 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 to ensure a proper standard of development.

12. The applicant or developer shall enter into a water and/wastewater connection agreement with Irish Water prior to the commencement of development.

Reason: In the interest of orderly development.

13. 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.

14. Prior to the commencement of development, a map delineating those areas to be taken in charge shall be submitted for the written agreement of the planning authority.

Reason: In the interest of clarity.

15. 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.

Paul Caprani,
Senior Planning Inspector.

13th January, 2020.