



An
Bord
Pleanála

Inspector's Report

ABP-306041-19

Development	Construction of 2 no. 3 storey buildings, providing 22 no. apartments.
Location	Main Street / Supple Park, Dunshaughlin, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	RA190249
Applicant(s)	Dunshaughlin Park Development Ltd.
Type of Application	Permission
Planning Authority Decision	Grant permission (36 no. conditions)
Type of Appeal	Third Party (3 no.)
Appellants	St. Seachnall's National School John, Mary and Ciara Vaughan Supple Park Residents Association
Observer	Dr. Marie O'Gorman Kane
Date of Site Inspection	12/03/2020
Inspector	Conor McGrath

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1.0 Site Location and Description

- 1.1. The appeal site comprises a stated area of 0.2548ha, located on an area of backlands to the west of Dunshaughlin Main Street (R147). Most of the site is level and overgrown, however, the site as outlined encroaches onto an existing surface car park to the east associated with commercial uses on Main Street. There is an existing foul sewer running east west across the site on its southern side.
- 1.2. Residential uses bound the site to the north, south and west. Marble Court to the north comprises two-storey apartment / duplex units. Supple Hall to the south also comprises two-storey apartments, while the residential cul-de-sac in Supple Park to the west comprises 5 no. detached two-storey houses. This cul-de-sac is part of a larger residential development, of approx. one hundred dwelling units. St. Seachnall's national school is located to the south of Supple Park and the main student entrance is located on this road.

2.0 Proposed Development

- 2.1. The proposed development originally comprised 22 no. apartments, however this was significantly amended at further information stage to comprise 16 no. apartments in 2 no. two-storey blocks, as follows:
 - 1 no. 1-bed units.
 - 11 no. 2-bed units
 - 4 no. 3-bed units

Vehicular access to the development is proposed from Supple Park cul-de-sac to the west. 27 no. car parking spaces are proposed of which 14 no. are accessed directly from the cul-de-sac. The encroachment into the adjoining car park will result in the loss of 3 no. existing parking spaces therein.

3.0 Planning Authority Decision

3.1. Decision

In considering the application, the planning authority sought further information in relation to a range of items. It was subsequently decided to grant permission for the proposed development subject to 36 no. mainly standard conditions, which included the following:

2. The development permitted is for 16 no. residential units only.
3. A revised car parking layout shall be agreed in accordance with building regs.
7. Part V compliance.
- 13 – 16. Details of the design of the surface water collection and management system to be agreed, including the capacity of the existing surface water sewer to serve the proposed development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

1) The principle of development is acceptable. There is sufficient variety in unit type and size. Floor areas meet or are above the minimum guideline standards. All apartments are dual aspect. Bin and bicycle storage are acceptable. The development represents overdevelopment of the site and revised proposals for two-storey development should be sought. Further information can be required in respect of access arrangements, pedestrian access to Main Street through the car parking. An archaeological assessment report should be requested and the recommendation of the conservation officer to reduce the height of development by one floor is noted.

Following receipt of further information, a grant of permission was recommended

3.2.2. Other Technical Reports

Transportation: Further information submitted. A condition on disabled car parking was recommended.

Housing: Part V to be met by the delivery of units on-site.

Water services: Conditions recommended including detailed design for surface water management and attenuation.

Conservation Officer: The development should be reduced by one floor to retain the character of the town. Following receipt of further information, no objection.

3.3. **Prescribed Bodies**

Irish Water: No objection subject to conditions.

3.4. **Third Party Observations**

The planning authority received a number of third-party submissions. The issues raised in these submissions are generally reflected in the third-party appeals and observations on this appeal.

4.0 **Planning History**

PA ref. DA60124: Permission refused in 2006 for a 3-storey building comprising 35 apartments and 57 basement car parking spaces with vehicular access from Supple Park and alteration of existing commercial car park from 56 to 39 car spaces. The reasons for refusal related to:

- Prematurity given deficiencies in water supply.
- Prematurity pending preparation of an approved action plan as required by the A4 zoning, lack of open space, traffic congestion and undesirable precedent.
- Insufficient legal interest for access.

PA ref. DA60507 ABP ref. PL17.221343

Permission refused in 2006 for 35 no. apartments and 57 basement car parking spaces, vehicular access from Supple Park, courtyard with pedestrian access to Supple Park and to the Main St. via adjoining car park, alteration of existing commercial car park from 56 to 39 car spaces. Reasons for refusal:

Overdevelopment of this restricted site, and failure to provide an acceptable standard of residential amenity for future occupants by reason of inadequate quality and quantity of openspace. Furthermore, the proposed development would seriously injure the residential amenity of adjoining residents by reason of proximity to boundaries and overlooking of adjoining residents.

PA ref. DA70595 ABP ref. PL17.227301: Permission refused for 32 no. apartments, 54 car parking spaces, vehicular access from Supple Park, landscaping and all associated works and alterations to existing commercial car park. The reason for refusal related to:

Overdevelopment of this restricted site and would fail to provide an acceptable standard of residential amenity for future occupants. Furthermore, the development would seriously injure the residential amenity of adjoining residents by reason of proximity to boundaries and overlooking.

5.0 Policy Context

5.1. Development Plan

5.1.1. Meath County Development Plan 2013-2019

The Meath County Development Plan (CDP) identifies Dunshaughlin as a Moderate Sustainable Growth Town in the third tier of the Settlement Strategy. This designation was subject to granting of permission of a railway order for the Navan Rail Line Phase II, including a station at Dunshaughlin.

The Core Strategy of the CDP indicates that these towns should develop in a self-sufficient manner and that growth should be balanced to ensure that any increase in population will be in tandem with employment opportunities, capacity in physical and social infrastructure and will not be based on long distance commuting.

5.1.2. Dunshaughlin LAP 2009-2015

This remains the relevant plan for the town. The appeal site is zoned A1: To protect and enhance the amenity of developed residential communities. In A1 zones, the primary concern is the protection of established residential amenities. While infill or redevelopment proposals would be acceptable in principle, careful consideration would have to be given to protecting amenities such as privacy, daylight/sunlight and aspect in new proposals.

The site lies within the Area of Archaeological Interest.

Residential Policies

LAP Policy Res 1: Provides for the expansion of Dunshaughlin on lands close to the town centre,

LAP Policy Res 2: Encourages in-fill housing developments, the use of under-utilised and vacant sites and facilitates higher residential densities at appropriate locations.....

Section 8.1 notes the constraints on access to St. Seachnall's school in terms of the width of the access road and traffic congestion arising, with the lack of ability to accommodate buses or drop off/pick up facilities. Section 10.5 notes that parking is problematic, particularly during school drop off and pick up times in Supple Park north of Seachnaill Naofa primary school.

LAP Objective RI-10: To place a double yellow line on the left side of Supple Park from the junction with the R147 to the pedestrian access to the school to ensure the area is retained free from parking.

LAP Objective P-2: To provide for improved pick up and drop off facilities at Seachnaill Naofa primary school in the area of Supple Park.

5.1.3. **Draft Meath County Development Plan 2020**

Dunshaughlin is identified as a Self-Sustaining Growth Town.

Whilst there is a frequent bus service to the capital the car remains the predominant mode of transport. The population growth of the town would support the delivery of the Navan rail project as it would provide a critical mass of population along the rail

line. The delivery of this rail project is a key element in supporting the sustainable growth of the town. The town has benefitted from significant investment in water and waste water infrastructure creating significant capacity to accommodate medium-long term growth.

5.2. National Policy

5.2.1. Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities (2009)

The guidelines encourage higher densities on residential zoned lands, including brownfield, inner suburban and infill sites and along public transport corridors, identifying minimum densities of 50 / ha in such corridors, subject to appropriate design and amenity standards. Densities of 35-50 are encouraged on outer suburban / greenfield sites.

In the case of large infill sites or brown field sites, public open space should be provided at a minimum rate of 10% of the site area. Section 4.21 encourages a more flexible approach to quantitative open space standards with greater emphasis on the qualitative standards.

5.2.2. Sustainable Urban Housing: Design Standards for new Apartments Guidelines for Planning Authorities (March 2018)

Section 2.4 notes that sites in small towns or villages are generally suitable for limited, small-scale, higher density development that may wholly comprise apartments. Section 2.5 notes that while the provision of apartments may not be required below the 45 dwellings per hectare net density threshold, they can allow for greater diversity and flexibility in a housing scheme, whilst also increasing overall density. Accordingly, apartments may be considered as part of a mix of housing types in a given housing development at any urban location, including suburbs, towns and villages.

Specific Planning Policy Requirement 3 sets Minimum Apartment Floor Areas, as detailed in Appendix 1.

Specific Planning Policy Requirement 4 refers to the provision of dual aspect apartments. The guidelines set minimum standards for ceiling heights and number of apartments served by a core. The importance of well-designed communal amenity space is noted. For urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality. Section 4.6 notes that Communal or other facilities should not generally be imposed as requirements by the planning authority in the absence of proposals from and / or the agreement of an applicant.

5.3. Natural Heritage Designations

The site is not designated for any nature conservation purposes and there are no conservation sites in the vicinity of the appeal site. The closest site is the Boyne And River Blackwater SAC (site code 002299), approx. 13km northwest of the site. There are coastal Natura sites located over 20km east of the site. There are no direct connections between the appeal site and these European Sites.

5.4. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. Supple Park Residents Association

- Proposed entrance arrangements are inadequate.
- There are existing traffic safety issues along this road.

- The adjoining school generates significant traffic volumes and congestion on estate roads, which have no further capacity, despite traffic management measures implemented daily on this road.
- There is existing on-street residential parking along the access road.
- Alternative access to the site is available through the adjoining car park.
- The development will result in the removal of mature trees.
- Impact on privacy of residential amenity of adjoining occupiers.

6.1.2. John, Mary and Ciara Vaughan

- The development will exacerbate traffic hazards at Supple Park, which necessitate a daily traffic management plan.
- Construction traffic will in particular give rise to road safety impacts.
- Inadequate parking provision within the original residential estate already results in on-street residential parking.
- The cul-de-sac cannot accommodate two-way traffic and there is an overall lack of road capacity to accommodate the development.
- Emergency vehicle access to houses in Supple Park is already compromised.
- Traffic concerns were ignored in consideration of the application and no assessment of the traffic hazards was undertaken.
- This will discourage children from walking to school.
- Construction activity in the vicinity of schools has given rise to previous traffic safety issues.
- The car park to the east in the developer's ownership offers a safer alternative access, which could adequately accommodate construction traffic.
- Impact on residential amenity due to overlooking and overbearing design. No shadow analysis was undertaken.
- Devaluation of properties.
- Construction impacts on residential amenity.
- Lack of context in the design of the development. Semi-detached housing would be more appropriate for the site.
- Creation of a public pedestrian route through the site from the main street raises traffic safety concerns.

6.1.3. St. Seachnall's National School

- The main school entrance opposite the Supple Park cul-de-sac experiences serious congestion morning and afternoon.
- A daily Garda traffic management plan is implemented on safety grounds.
- The development will create a traffic safety risk.
- No access for construction traffic from Supple Park should be allowed.
- Meath County Council should provide a drop-off facility outside the school gates.
- The development should be accessed from Main Street via the existing car park.

6.2. First Party Response to Appeals

The first party appeal response includes a Traffic Assessment. The following points are raised in the response:

- While there are current peak hour traffic issues, the proposed development will not materially exacerbate these conditions.
- Likely peak hour traffic generation from the proposed development is 4-6 vehicles during peak hours.
- The majority of traffic movements will occur outside school traffic hours.
- The site is located in walking distance of bus services.
- School related drop-off / pick-up traffic issues are common in urban areas, where on-site parking is deficient.
- The proposed layouts can achieve compliance with DMURS and access through Supple Park is appropriate given the design standards of those roads.
- There have been no recorded accidents within Supple Park and the proposed development will not give rise to traffic safety issues in this area.
- Construction traffic concerns can be addressed through a construction traffic management plan, avoiding traffic during school drop-off / pick-up hours.
- Road safety or capacity concerns were not raised in Meath Co. Co. reports.
- Unsubstantiated traffic claims are not a reasonable justification to refuse permission for this sustainable and accessible infill development.

- Condition no. 3 requires a revised car parking layout to be agreed and this is assumed to reduce parking provision to 23 no. spaces on the site.
- The adjoining commercial car park is not a reasonable alternative access route and would not address existing traffic issues in Supple Park.
- Pedestrian access from the development through this car park could be provided, encouraging walking trips to local services.
- Separation distances address potential overlooking impacts
- The proposed modest development adjoining residential properties would be preferable to a vacant site.

6.3. **Planning Authority Response**

In response to the third party appeals, the planning authority noted that the matters raised were considered in the assessment of the application. Traffic impacts were considered in the Planning Reports and Transportation Section reports.

6.4. **Observations**

Dr. Marie O’Gorman Kane

- The adjoining car park is crowded at present and the entrance from Main Street is narrow, accommodating only one car at a time.
- A boundary wall with the development should be constructed before other site works, in accordance with specifications of Meath Co. Co.
- Use of the car park should be restricted to associated businesses on Main Street and should not be used for construction related traffic.

6.5. **Further Submissions on First Party Appeal Response**

6.5.1. Planning Authority.

Meath Co. Co comments in relation to the First Party Appeal Response, reiterate their comment in section 9.3 above.

6.5.2. Appellant - St. Seachnall's National School

- Notwithstanding submissions on the file, Planning Authority reports give no consideration to issues of traffic safety impacts.
- The majority of the Traffic Assessment report is not relevant to the particular characteristics of the proposed development.
- Location opposite a large school is not accounted for in the Traffic Assessment.
- Given the lack of traffic surveys, there is a failure to identify all traffic peaks at the school site over the course of the day.
- Given the forecast low levels of traffic generation, use of the adjoining car for access would not be unreasonable, rather than creating a traffic hazard at Supple Park.
- Construction traffic should not be permitted through Supple Park.

6.5.3. Appellant - Supple Park Residents Association

- The traffic assessment submitted is based on trip generation from areas with superior public transport.
- Not all bus services referenced in the assessment exist.
- Most residents will commute by car.
- Estate roads are only wide enough for one car to pass, notwithstanding the traffic management measures. These measures are not a long-term solution.
- Meath Co. Co. have failed to address the traffic safety issues at this location.
- The adjoining car park can adequately accommodate access to the site.
- There will be impacts on residential amenity and loss of mature trees.

6.5.4. Appellant - John, Mary and Ciara Vaughan

- The response does not address the original appellant concerns.
- Notwithstanding submissions to the Board, planning authority reports fail to consider traffic safety and impacts.
- There is a lack of transparency in the assessment of the development.

- The traffic assessment submitted is not relevant as it is based on trip generation from areas with superior public transport and does not reflect the characteristics of this location. Public transport serving the town is deficient.
- Local traffic surveys should have been undertaken which would have identified whole day traffic movements.
- Construction traffic will obstruct adjoining movements of residents and use of the adjoining car park for access would be preferable.
- Traffic speeds on Main Street are low and appropriate for that access.
- Agreement of a construction traffic management plan post decision excludes residents and affected parties from the process.
- There will be impacts on residential amenity and loss of mature trees.
- Balconies will result in overlooking of adjoining houses.
- Given the forecast low levels of traffic generation, use of the adjoining car for access should not be unreasonable, rather than creating a traffic hazard at Supple Park.
- There has been no proper assessment of use of the car park access option.
- Based on predicted traffic volumes, peak traffic movements would not conflict with or impact on the commercial outlets.

6.5.5. Observer - Dr. Marie O’Gorman Kane

- Access through the adjoining car park is unacceptable given the width of the entrance from Main Street and would interfere with its function as a car park.
- This would require access through the boundary wall.
- At further information stage, the controlled pedestrian access from the site to the car park was omitted.
- The car par should be retained to serve existing adjoining commercial units and should not be used in association with any construction activity.

7.0 **Assessment**

7.1. It is proposed to consider the appeal under the following brad headings:

1. Land use and development principle
2. Design and layout
3. Traffic Impact
4. Archaeological Impact

7.2. Land use and development principle

- 7.2.1. This vacant backland site is zoned A1 "Existing Residential" , and the proposed infill development of 16 no. apartments would be acceptable in principle. The density equates to approx. 63 no. units per hectare, which given the scale and town centre location of this infill development is not considered unacceptable, subject to the achievement and maintenance of adequate levels of residential amenity.

7.3. Design and Layout

- 7.3.1. The development was significantly amended at further information stage to provide 16 no. apartments as follows:

Apartment Type	GFA's
1 no. 1-bed apartments.	79.9-sq.m.
11 no. 2-bed apartments	79.9 – 95-sq.m.
4 no. 3-bed apartments	102-sq.m.

The design and layout of apartments accords with or exceeds the minimum standards set out in the Apartment Design Guidelines. A central area of open space provides a stated area of 166-sq.m. which accords with Appendix 1 of the Apartment Guidelines. Other ancillary spaces are not regarded as sufficient to constitute public amenity space.

- 7.3.5. Block A comprises a two-storey block aligned with and fronting onto Supple Park cul-de-sac. The form and scale of the proposed block would not be at odds with these houses or the surrounding pattern of development. Separation from the adjoining houses in Supple Park to the west varies from 23.5m to 28m. While balconies for

two apartments are proposed at the northern of the block, having regard to the separation and orientation of the development, it is not considered that the development would give rise to undue overlooking or other impacts on adjoining residential properties to the west. Block B is located on the eastern part of the site, backing onto the adjoining car park. The design of this block would obviate impacts on the amenities of adjoining properties to the north or south.

- 7.3.6. The scheme provides 27 no. off-street car parking spaces in accordance with development plan requirements. Spaces 1 - 14, serving Block A are provided as head-on spaces off Supple Park. Spaces serving Block B are located centrally within the site, accessed via a new entrance off the cul-de-sac. Trees along the frontage of the site to Supple Park comprise a mixture of species and maturity (including cherry and eucalyptus) and will be lost as a result of the development. While contributing to the character of this area, the trees are not significant specimens. The development will alter the character of this residential cul-de-sac, however, having regard to the zoning and central location of the lands and the nature and scale of the development, such impacts are not regarded as unacceptable.

7.4. Traffic Impact

- 7.4.1. Having reviewed submissions on the file and visited the site, I note that the issue of traffic congestion and potential safety impacts arises from the significant vehicular traffic movements generated by St. Seachnalls School. In the context of the wider Supple Park estate, the proposed development is not significant in scale. Estate roads would generally be regarded as suitable to accommodate this additional level of development without significant issues. There does appear to be an issue in relation to parking for Supple Hall Apartments. While there is rear off-street parking available, this appears to be underutilised and the pattern is for perpendicular parking to take place in parallel spaces, thereby reducing the width of the estate road. Adequate off-street parking within the site is proposed in accordance with development plan requirements. A new footpath will be provided on Supple Park / Supple Hall frontage to connect with the subject site.
- 7.4.2. There is a lack of adequate parking or drop-off facilities at St. Seachnall's school with knock-on implications for adjoining residents. This is exacerbated by the patter of

parking for Supple Hall. This will continue to be the case pending some improvements in this regard. This issue was recognised in the objectives of the 2009 Local Area Plan for the town however, it is not apparent that any progress has been made in this regard. I have observed peak school hour traffic movements. During the AM peak this occurs for approx. 15 – 20 minutes between 9am and 9.20am. There is no significant traffic generation prior to 9am. During this short period, there is significant congestion occurring at the school entrance / cul-de-sac junction and conflicting turning and pedestrian movements.

- 7.4.3. I consider that the solution to this existing issue lies with the Roads Authority and the school however. There is an onus on the roads authority to pursue appropriate traffic management measures and seek the fulfilment of development plan objectives and I noted that there would appear to be scope to implement appropriate drop-off facilities at this location
- 7.4.4. The first party argue that the development will give rise to low levels of peak hour traffic generation and that this will not coincide with peak school hours movements. Third parties have queried the projected trip rates contained in the traffic assessment, however, I note that these rates are generally consistent with those used in the assessment of traffic impacts in relation a strategic housing application in the town granted permission in April 2019 under ref. ABP-303433-19. Notwithstanding this issue, I note that the scale of development comprising 16 no. apartments is not significant in the context of the wider Supple Park / Supple Hall development and subject to appropriate levels of on-site parking would not result in the creation of a traffic hazard. I note that classes in the school commence at 9.20am and having viewed existing traffic conditions, I would consider it reasonable to accept that peak hour movements would not generally coincide with peak school opening / closing times. I do not consider that the development would result in any significant exacerbation of the existing congestion issues at school opening / closing times.
- 7.4.5. The potential for access through the adjoining car park to the east which is within the applicant's ownership has been raised. This car park serves existing commercial units on Main Street and the development encroaches onto the car park with the loss of a 3 no. existing parking spaces. While there is merit to the consideration of such access which would reflect that of Sibín Court to the north, the principle constraint to

this proposal is the width of the of the entrance from Main Street, approx. 5m+ at its narrowest point. Barrier infrastructure is in place but not functional. Having viewed the car park and junction with Main Street, I consider that this would be a viable option for access to this backland site, without compromising existing commercial car parking.

- 7.4.6. Bicycle parking provision is identified on the site plans however, level of provision is deficient. The Apartment Design Guidelines would require 35 no. spaces on the basis of one parking space per bedroom, which would not be accommodated within the identified structure. I also consider that the design of the structure should be revised to comprise a high quality, enclosed / lockable storage structure, in accordance with the provisions of the Apartment Guidelines.

7.5. **Archaeological Impact**

- 7.5.1. A desk based archaeological assessment of the site was submitted at further information stage. The report notes that the development site lies almost completely within the zone of archaeological potential for the town. There are no known monuments on the site and negative impacts on archaeology cannot be predicted. Archaeological monitoring of works is recommended. The case was referred to the Development Applications Unit, however, no response was received. Subject to the application of appropriate monitoring conditions, I do not consider that this represents a significant obstacle to the development of this site.

8.0 **Appropriate Assessment Screening**

- 8.1. The appeal site is not located within or adjacent to any European Site. The closest site is the Boyne And River Blackwater SAC (site code 002299), approx. 13km northwest of the site. The Malahide Estuary SAC & SPA is located over 20km to the east to Dunshaughlin.
- 8.2. The only potential connection to any European Site arises from site drainage. Foul effluent from the development would be drained to the public sewer and onwards to the wastewater treatment plant (WwTP) at Dunshaughlin, in which there is adequate

capacity to accommodate the development. The treatment plant is subject to licencing from the EPA. It is not considered therefore that potential for significant impacts on the integrity of any European site arises.

- 8.3. Having regard to the location of the proposed development and the nature of the receiving environment, in particular the absence of any hydrological link or other relevant pathway that could give rise to a significant effect on any European site, 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 or projects on a European site.

9.0 Recommendation

- 9.1. The permission be granted for the proposed development for the reasons and considerations set out below:

10.0 Reasons and Considerations

Having regard to the policies and objectives of the development plan and local area plan for the area, the nature and limited scale of development proposed for this centrally located backland site, it is considered that subject to compliance with the conditions set out below the proposed development would not unduly impact on residential amenity, would not give rise to the creation of a traffic hazard and would not be prejudicial to public health. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

11.0 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 27th day of September 2019, except as may
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	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>Prior to the commencement of development on the site, design details for the surface water drainage network to include the collection, drainage, attenuation and disposal of surface water shall be submitted to and agreed in writing with the planning authority.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
5.	<p>a) A minimum separation of 3m shall be provided between the existing foul sewer traversing the site and the structural foundations of Block B. Prior to the commencement of development on the site, detailed drawings shall be submitted to and agreed in writing with the planning and authority in this regard.</p> <p>b) Prior to the commencement of works on the site, Irish Water shall be nominated as the beneficiary of a wayleave which will allow access for maintenance and repair of existing Irish Water Infrastructure crossing the site.</p>

	<p>Reason: In the interests of public health</p>
6.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -</p> <ul style="list-style-type: none"> (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, (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
7.	<p>The internal road network serving the proposed development shall comply with the detailed standards of the planning authority for such road works.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
8.	<ul style="list-style-type: none"> a) 27 no. car parking spaces shall be provided within the site. Parking spaces which shall be reserved for persons with physical disabilities shall be not less than the dimensions set out in the document “Building for Everyone” (National Disability Authority). b) Cycle storage facilities for 35 no bicycles shall be provided in a secure, lockable structure(s).

	<p>Revised details in this regard shall be submitted to and agreed in writing with the planning authority prior to the commencement of development on the site.</p> <p>Reason: To ensure an adequate standard of off-street parking provision is available to serve the proposed development.</p>
9.	<p>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.</p> <p>Reason: In the interests of visual and residential amenity.</p>
10.	<p>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.</p> <p>Reason: In the interests of amenity and public safety.</p>
11.	<p>The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be soiled, seeded, and landscaped in accordance with the landscaping scheme submitted to the planning authority on the 27th day of September, 2019. This work shall be completed before any of the dwellings are made available for occupation.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose</p>
12.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority</p>

	<p>prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme.</p> <p>Reason: In the interest of urban legibility.</p>
13.	<p>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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
14.	<p>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 hours of working, noise management measures, routing and timing of construction traffic, and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
15.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To ensure the satisfactory completion and maintenance of this development.</p>
16.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in</p>

	<p>writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area</p>
17.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion, and maintenance until taken in charge by the local authority, of roads, sewers, watermains, drains, car parks, open spaces 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 security to be lodged shall be as follows -</p> <p>(a) an approved insurance company bond in the sum of €78,000 (seventy eight thousand euro), or</p> <p>(b) a cash sum of €78,000 (seventy eight thousand euro) to be applied by the planning authority at its absolute discretion if such services are not provided to its satisfaction, or</p> <p>(c) such other security as may be accepted in writing by the planning authority.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>

18.	<p>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.</p> <p>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.</p>
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Conor McGrath
Senior Planning Inspector
13/03/2020