

An Bord Pleanála



Inspector's Report

PL17.245690

Development: Planning permission is sought for the construction of a single storey dwelling house, a new entrance to De Granville Court and all associated site development works at Echo Gate/De Granville Court, Dublin Road, Trim County Meath.

Planning Application

Planning Authority: Meath County Council
Planning Authority Reg. Ref.: TA/150592
Applicant: Marie Cusack
Planning Authority Decision: Grant with Conditions

Planning Appeal

Appellant: De Granville Court Residents Association
Type of Appeal: 3rd Party - v- Grant
Observers:

1. Gaelscoil na Bóinne
2. De Granville Residents Court Committee

Date of Site Inspection: 11th day of January, 2016.
Inspector: Patricia M. Young

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The rectangular shaped appeal site has a stated area of 0.566-hectares and forms part of the private amenity space of an existing part single part dormer style dwelling house which is referred to as 'Echo House' in the accompanying documentation on file. Echo House forms part of a larger residential development that is accessed from Dublin Road (R154) which lies circa 18-meters to the north of its principal façade and is located on the eastern outskirts of Trim, County Meath.
- 1.2 Access for Echo House onto the Dublin Road is via a modest in length internal cul-de-sac service road which provides connection to a larger service road (Newtown Close) which in turn connects to the Dublin Road to the north-west. The aforementioned cul-de-sac road has an east west alignment and accommodates Echo House at its eastern most point. This cul-de-sac road also accommodates two neighbouring detached properties that are situated west of Echo House. These neighbouring properties are largely similar in built form and appearances though are sited on smaller plots. In addition, there is a small linear strip of open space that provides a green buffer between this group of three detached dwellings and the Dublin Road. This green space terminates alongside the western side front boundary of Echo House with Echo House benefitting from a substantial front garden area that is largely comprised of soft landscaping and a driveway with the latter also accommodating off-street car parking for occupants.
- 1.3 To the rear of Echo House there is a substantial area of private amenity space with this amenity space extending behind the rear garden area of adjoining property No. 4 Newtown Close and also bounding neighbouring Newtown Close properties to the west and south. Running alongside the eastern boundary of the site is the main distributor road for a neighbouring residential scheme (De Granville Court). This boundary consists of a solid boundary wall with a soft landscaped verge between the roadside edge and the boundary wall. Located to the east of this boundary and situated on the opposite side of the De Granville Court distributor road is a primary school (Gaelscoil Na Bóinne).
- 1.4 The red line area of the site in its current form consists of what appears to be a tennis court, which is now unkempt and in a poor

condition. In addition, the surrounding area could be described as having a strong residential character.

2.0 PROPOSED DEVELOPMENT

- 2.1 Planning permission is sought for the construction of a single storey contemporary in design and palette of materials three bedroom dwelling house with a stated gross floor area of 198.5-sq.m. and with its overall height ranging between 6.58-meters in its main gable roofed section and 3.45-meters in its flat roof section. The gable fronted section has an east west orientation and has a stated setback of 1.2-meters from the northern boundary of the site along most of its 25.4-meters. This section of the proposed dwelling has a stated depth of 4.8-meters. The single storey section accommodates the garage which has a stated gross floor area of 11-sq.m. which attaches to a covered car port which in turn attaches to a bin store. The single storey section has a width of 6.4-meters and extends circa 12.9-meters to where it meets the southern boundary of the site. In addition, a new entrance to De Granville Court is also proposed. This requires the removal of part of an existing boundary wall and would appear to also require the removal of two single stem semi-mature trees alongside a grass verge running along the adjoining western side of public road which serves an existing housing estate (De Granville Court). Planning permission is also sought for all associated site works.
- 2.2 On the 10th day of September, 2015, the applicant submitted their further information response to the Planning Authority. This response consists of a letter from the applicant's agent which indicates that the road onto which the new entrance is proposed is used by the public and is in the ownership of a company which is in the process of being liquidated. It further indicates that the road has been taken in charge by Meath County Council and attached to this response is a letter from the said Councils Transportation Department which indicates that they have no objection to the lodging of this application; however, this letter also states that should permission be granted the applicant should ensure that they have sufficient legal interest over the lands in question to undertake the proposed works.

3.0 RECENT & RELEVANT PLANNING HISTORY

3.1 Appeal site and in the vicinity: None.

4.0 PLANNING AUTHORITY DECISION

4.1 Planning Section: The final Planning Officer's report considered that the applicants further information response satisfactorily addressed their concerns and concluded that the proposed development was acceptable as well as in accordance with the proper planning and sustainable development of the area.

4.2.0 Interdepartmental Reports:

4.2.1 Road Design Office: No objection.

4.3.0 Submissions: The Planning Authority received several 3rd Party submissions objecting to the proposed development. These letters raise similar concerns to those raised by the appellant and the observer in their submissions to the Board.

4.4.0 Planning Authority Decision

The Planning Authority decided to **grant** planning permission for the proposed development subject to eight in number relatively standard in nature conditions. Notwithstanding, I note to the Board that Condition No. 3 requires that the proposed boundary wall to the north of the application site be constructed to a height of 2-meters and that it is capped as well as finished in nap plaster.

5.0 GROUNDS OF APPEAL

5.1 The grounds of this 3rd Party Appeal may be summarised as follows:-

- The appellant is not opposed to the application to build a house but they are opposed to any development that results in road safety concerns for

their children as well as negatively affects the visual character of this housing estate.

- There is insufficient information in this application on the proposed entrance which would be located close to a primary school and this additional entrance would exacerbate the existing health and safety risks associated with traffic management in the area.
- The errors within this application are sufficient to invalidate this application. In this regard it is noted that the site as indicated in red includes land outside of the applicants legal interest and for which they have no consent to include.
- The impact of the removal of mature trees, shrubs and plants has not been addressed in the determination of this application.
- The insertion of a single storey dwelling which would be the only one within De Granville Court housing estate and it would be the only dwelling located directly off the distributor road.
- A concern is raised that a grant of permission for this development could set a precedent for other future applications in this area.
- Unsuccessful attempts were made to make contact with the applicant's agent.
- There is on-going traffic chaos on the road and the Dublin road junction serving the adjacent primary school.
- While the addition of one entrance and the associated traffic of one dwelling house would be unlikely to contribute much to the traffic volumes it would create another location for dropping of and collecting children on the far side of an already busy road.
- There is no indication whether the open space within this housing estate is sufficient to cater for this additional house.
- This application as lodged fails to comply with Planning and Development Regulations, 2001, Part 23 (1) (a) as it fails to indicate features adjoining or in the vicinity of the application in this case a school, it includes land that is outside of the applicants legal interest and the address given of the applicant is misleading as it is indicated in the public notices as Echo Gate/De Granville and the applicant is not a resident of this estate and her proposed development does not form part of De Granville Court. It is also raised as a concern that no contiguous elevations have been provided and that no details have been provided in relation to the management of surface water.
- The applicant is not a resident of the De Granville Court housing estate does not contribute to its upkeep.
- Concern is raised that the appellants were unable to gain access to the Councils planning website on the 7th day of October, 2015.

- It would be possible for the applicant to provide a right-of-way over the host property in order to gain access onto the public road network.

6.0 OBSERVERS

6.1 The Board received a letter of observation from the Board of Management of Gaelscoil na Bóinne on the 17th day of November, 2015, and the De Granville Court Residents Committee on the 26th day of November, 2011. These observations may be collectively summarised as follows:-

- As part of the observer's duty of care they have developed a set of policies and procedures around pupil's entry and egress to the school. In this regard they note that the traffic management system which is based on a 'stop-and-drop' procedure for parents entering De Granville Court.
- The entrance to the proposed entrance will be situated directly in the vicinity of the schools 'stop-and-drop' system; and, therefore the observer is concerned that this additional space will disrupt the operation of this system as it will result in parents using it as another space in which to temporarily park while the pupils enter/descend from cars. This would result in pupils crossing the road which at present does not happen and as such it would increase the potential for an accident.

7.0 RESPONSES

7.1 The **Planning Authority's** response to the grounds of this appeal indicates that they are satisfied that the matters raised in the grounds of appeal have been dealt with during the course of the determination of this planning application and it is requested that the Board uphold its decision.

7.2 The Appellants response received by the Board on the 26th day of November, 2015, briefly reiterate the concerns raised in their appeal submission to the Board alongside include a number of petitions signed by additional 3rd Parties who support the grounds of their appeal.

- 7.3 The 1st Party's response was received by the Board on the 30th day of November, and it may be summarised as follows:-
- The Board is requested to uphold the Planning Authority's decision.
 - The report prepared by traffic engineers accompanying this response indicates that the proposed development provides uninterrupted visibility sightlines from a setback of 2.4-meters of 90-meters in both the leading and non-leading traffic directions of the distributor road and the provision of one dwelling and a vehicular access onto De Granville Court can be adequately accommodated without impacting on traffic safety in the area.
 - This report also indicates that the impact on peak morning and evening traffic would be negligible and that the proposed development would have no material traffic impact on the operational capacity or safe operation of road links or junctions.
 - The applicant is willing to accept a condition of planning which requires a construction management plan to be prepared and agreed which restricts the delivery of materials to the subject site during school drop off or collection times.
 - Only two trees will be removed to achieve the entrance and sightlines for the proposed development. These trees are contended to be young and their removal would have a negligible visual impact on their setting. In addition, 4.2-meters of boundary wall would be removed and in its place a new opening of 3.5-meters created again this would have negligible visual impact on its setting.
 - National planning policy supports intensification of development in urban areas and on infill sites.
 - The proposed development will not adversely impact on the character of De Granville Court estate and it would be well screened by the existing boundary wall and existing trees which run along the western boundary of this estates distributor road. In addition the proposed dwelling would be single storey in its built form and would accord with applicable local planning provisions for this type of development.
 - The proposed development will not form part of the De Granville Court residential development and the provision of private amenity space for the proposed dwelling exceeds that required. As such the proposed development would put no pressure undue pressure on the existing public amenity space in the De Granville Court residential development.
 - The Planning Authority accepted the validity of this planning application and the applicant has sufficient legal interest to make this application. The latter issue was clarified at further information stage and it is noted that the De Granville Court distributor road has been taken in charge.

- The documentation provided were in accordance with relevant legislative requirements.
- It was an oversight not to include the blue line area around the site to the north. A revised Site Location Map has therefore been attached. In addition a contiguous elevation drawing has also been provided.
- There are no wayleaves present on the subject site or on its folio.
- The extended red line boundary on the western side of the indicated site includes provision for the new entrance.
- It is not accepted that the public notices are misleading.
- The proposed development will reduce hardstand and as such will allow for greater soakage of rainwater and the proposed development will be connected to existing public services. The proposed development will therefore not exacerbate flooding from surface water in this built up area.
- There are limited opportunities for similar developments along this road and any similar applications would be assessed on their own merits.
- The proposed development is subject to development contributions which provides for upkeep to roads through to recreational and community facilities.

7.4 A further response from the Planning Authority was received by the Board on the 15th day of January, 2016, which notes the 1st Party's response and indicates that they are satisfied that all matters outlined in the submission were considered in the course of its assessment of the planning application.

7.5 A response from the Appellant was received by the Board on the 18th day of January, 2016. It may be summarised as follows:-

- It is accepted that the proposed development will have a negligible effect on volumes of traffic; however, this development gives rise to a concern that an entrance at the location proposed would be inviting drop off/pick-ups for school children. This concern has not been addressed by the 1st Party in their traffic report.
- School staff are regularly outside to try and manage the 'Stop and Drop' system and any alternation to this housing estate could exacerbate the problem.
- The photographs provided in the traffic report shows no traffic. Photographs which are contended to show the actual traffic situation at school leaving times are provided for the Board for comparison.
- It is incorrect to describe the trees to be removed as young and it is contended that these trees are 15 to 20-years old.

- It is noted that none of the existing dwellings in the De Granville Court development have direct access onto the distributor road, all of the houses in this development are located on the opposite side of the road, the houses within this development are two storey and not single storey with differing external materials to that proposed and currently there is 200-meters of uninterrupted trees and shrubs in the streetscape scene of the proposed development.
- The Board has previously dismissed applications that Planning Authorities have validated and granted.
- It would be expected that such an application would have been accompanied by a flood risk assessment.
- The De Granville Court Residents Committee currently maintain the green area and have invested in shrubs, trees and an irrigation system along this wall. Not only will the trees be lost concern is raised that the irrigation system will also be removed to facilitate access.
- The 1st Party's response does not address the issue of an alternative proposal which would eliminate the provision of an access onto the distributor road and knocking down the existing boundary wall.

8.0 POLICY CONTEXT

8.1 Local Planning Context

The appeal site is governed by the policies and provisions contained in the Trim Development Plan, 2014-2020, under which the site is zoned '*A1 – Existing Residential*'. The land use objective for such land is stated to be: "*to protect and enhance the amenity of developed residential communities*" and residential development is permissible in this land use zone. Relevant sections of this plan are attached to file.

8.2.0 National Planning Policy Context

- **Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities, 2008:** These Guidelines are accompanied by an Urban Design Manual. The general aim of these guidelines and its associated manual is to set out the key planning principles which should be reflected in development plans and local area plans to guide the assessment of planning applications for residential development in urban areas. Section 5.9 of the Guidelines indicate in relation to residential areas whose character is established by their density or

architectural form that a balance needs to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill as well as residential development in serviced land.

9.0 ASSESSMENT

9.1 I consider that the key issues in this appeal case to be:-

- 1) *Whether or not the principle of the proposed development is acceptable at this location;*
- 2) *Visual Impact;*
- 3) *Road Safety/Traffic Hazard; &*
- 4) *Other Matters Arising.*

The above broad headings cover the main points made in the appeal submissions and responses received by the Board and they also encapsulate my *de novo* consideration of the application. I have had regard to the nature and extent of development both as originally proposed and as revised by Further Information. I also have conducted inspections of the site and its setting during the course of preparation of this report. I recommend that the Board consider the application in reference to the further information submitted to the Planning Authority on the 10th day of September, 2015.

9.2 Principle of the Proposed Development and Compliance with Development Plan

The appeal site is located on land zoned 'A1 – Existing Residential' which is subject to the land use zoning objective of protecting and enhancing the amenity of developed residential communities under the Trim Development Plan, 2014-2020. Under this zoning objective, residential development is permitted in principle subject to safeguards and having regard to the applicable planning provisions for this type of development as set out in the aforementioned plan I concur with the Planning Authority that the proposed development is satisfactory in this regard.

Moreover, I consider that the proposed development is consistent with local through to national planning policy provisions which seek to direct this type of developments to serviced lands within the confines of settlement boundaries as well as locations within settlements that are well served as well as are in easy reach of synergistic amenities, services and facilities.

9.3 *Visual Impact*

I concur with the Planning Authority that the proposed development would not adversely impact on the visual quality, character and setting of either the De Granville Court residential development scheme or the neighbouring dwellings of Newtown Close due to the design resolution chosen which includes a dwelling house that is single storey in its built form as well as includes a light weight palette of materials that are not uncharacteristic of those found in its setting.

Whilst I accept that the design approach in this instance is contemporary and that the proposed dwelling would be legible as a new building layer at this location I consider this approach to be appropriate as the eastern side of the distributor road as the streetscape scene of this side of the road, is largely characterised by the boundary wall, the semi-mature single stem planting and the single as well as dormer in height roofscape glimpses of neighbouring Newtown Close properties and the host dwelling 'Echo House'.

Further, the existing western boundary of the site which includes a circa 2-meter in height solid boundary wall and semi-mature tree planting would remain largely as is except for the limited 4.2-meter extent lost and/or modified to accommodate the proposed access onto the De Granville Court distributor road. As such the single storey built form, the consistency in terms of setback from the boundary wall when compared to the property to the south, the harmonisation of the palette of materials with existing properties to the east of the De Granville Court distributor road would result in the proposed dwelling house not being highly visible in its streetscape scene or from the semi-private and private domain of neighbouring properties. In addition, its built form as appreciated from the public domain of the De Granville Court distributor road would not be dissimilar to 'Echo House' to the north.

I therefore raise no serious concerns on the matter of visual impact that would warrant either a refusal of planning permission or that would

warrant any significant and/or material change to the proposed development. Moreover, the loss of two semi-mature trees could be off-set by their replacement in the vicinity in the soft landscaped verge or alternatively their replacement within the public open space of De Granville Court should the Board consider that such compensatory measures would be appropriate and necessary.

9.4 *Road Safety/Traffic Hazard*

Having regard to the appellants appeal submission and their response to the Board alongside the concerns raised by the observer to this appeal it would appear that the primary concern in relation to the proposed development is the potential for it to give rise to significant and material road safety/traffic hazard issues due to the proposed development including a new access point to serve the proposed development onto De Granville Court distributor road at a point where there is a primary school located on the opposite side of the road and at a location that is already congested from the dropping off and picking up of pupils attending this school with the potential of this new access point also being used as a drop of and/or collection point. The appellant also notes the proximity of the proposed new entrance to the distributor roads junction with the Dublin Road and other link roads within the De Granville Court residential development scheme.

In relation to these concerns I firstly note that no objection was raised by the Councils Road Design Office nor did the Council object to the proposed new entrance opening onto the distributor road, a road that has been taken in charge and I assume that the process of taking in charge included the soft landscaped verges between the roadside edge and the boundary of properties adjoining this road.

I second of all note that the proposed entrance has been designed to achieve visibility sightlines from a 2.4-meter setback in either direction of 90-meters which is 35-meters in excess of the requirements set out in Section 4.4.4 of the Design Manual for Urban Roads and Streets (DMURS), 2013.

In addition, the 1st Party as part of their appeal response engaged Transportation Planning Services, to undertake a review of the proposed development alongside to address the concerns raised by the appellant in their grounds of appeal as well as the concerns raised by the observer.

This report indicates that the distributor road in its current state provides access to 38 dwellings which make up the De Granville Court residential development and a primary school to the surrounding public road network via a simple priority 'T' junction onto the Dublin Road and that the road network in the vicinity of the site is subject to posted speed limit of 50-kph.

It also notes that the distributor road has a 5.2-meters width and that access to the primary school is off this distributor road by means of a simple priority arrangement. It therefore considers that the established traffic generated on this road onto which a new access is proposed is associated with the dwelling units of De Granville Court and the primary school.

It recognises that the primary school does give rise to traffic and pedestrian surges within the morning and afternoon period within the estate with parents dropping off and collecting school children and that the school seeks to manage this through signage and policing traffic movements.

In relation to the volumes of traffic the proposed development would generate this report based its conclusions on TRICS 2015 (b) and it concluded that it would have no material impact on the adjacent road network. It further considered that the limited traffic and turning movements associated with the proposed development would not have any major impact on De Granville Court residential development due to the design of the access onto distributor road prioritizing pedestrian and cyclist traffic.

While I accept that there is potential for the proposed access to be used as a drop off and collection point by parents of school children and the use of the proposed entrance as such would be inappropriate as well as reflect poor judgement on their part this is a situation that faces many properties that are located in close proximity to schools around the country. Outside of the provision of double yellow lines along the eastern side of this stretch of the distributor road I cannot see how this matter can be addressed or in any way regulated in terms of traffic safety and road safety. In itself it is not sufficient basis on which to base a refusal of planning permission for the development proposed.

I am not satisfied based on the information on file that there is any evidence to substantiate that the proposed development would give rise

to any additional traffic hazard or road safety issue despite the close proximity of the proposed new access to a primary school; to the simple priority access serving it off the De Granville Court distributor road; the Dublin Road T-junction to the north and to other link roads to the south.

Notwithstanding, I consider that it would be appropriate that the proposed development, should the Board be minded to grant permission, be subject to a condition requiring the preparation and written agreement of a Construction Management Plan, considering the locational sensitivities of the site. Such a plan should restrict traffic movements associated with the construction phase including goods delivery through to ensuring that no construction traffic use the De Granville Court distributor road for parking. It would be appropriate that during the main phase of development that all construction related traffic is accommodated on site and via the existing entrance serving Echo House which I note benefits from an ample front garden area as well as vehicle access to the rear garden garage.

9.5.0 Other Matters Arising

9.5.1 *Validity:* During the course of the determination of this application by the Planning Authority and as part of the 1st Party submission to the Board in response to the 3rd Party Appeal I consider that the documentation on file is sufficient for the Board to assess the proposed development and to make a fully informed decision. I also consider that the documentation on file accords with the legislative requirements for a valid application; however, I do agree with the appellant the initial application as lodged did give rise to a number of concerns that should have been picked up by the Planning Authority in terms of validating, in particular the omission of the blue line, the lack of consent for land outside of the applicants legal interest through to the lack of any contiguous elevations.

9.5.2 *Surface Water Drainage:* I consider the site in its current form has extremely limited deep soil and that the proposed development will result in an improved situation. While I do not consider that the proposed development, if permitted, would give rise to any material increased risk of flooding I do raise it as a concern that limited sustainable drainage measures are included as part of the overall design resolution having regard to the sites location in close proximity

to the River Boyne which is situated to the north of the R154. Should the Board be minded to grant permission for the proposed development it could seek for a more robust sustainable drainage measures to be included by way of condition. I consider such a condition to be appropriate having regard to the sites location and would result in more site sensitive responsive to its context.

9.5.3 Waste Management: Having regard to the extensive hardstand present on site and based on the precautionary principle I advise the Board should it be minded to grant permission to include a condition requiring the preparation and agreement of a waste management plan for the site preparation and construction phase of the proposed development.

9.5.4 Residential Amenity Impact: Subject to suitable boundary treatments which safeguard the residential amenity of the existing dwelling house, including the requirements in this regard set out under Condition No. 3 in the Planning Authority's notification to grant planning permission which are reasonable for ensuring that the remaining private amenity space of the host dwelling are safeguarded from undue overlooking, I consider that the proposed development would not seriously injure residential amenity of the existing dwelling that occupies the larger plot of land the site forms part of or indeed adjoining properties in its vicinity by way of overlooking, overshadowing, reduced privacy and/or any other such nuisance such a development has the potential to give rise too.

9.5.5 Site Servicing: I raise no significant concerns in relation to this matter subject to the standard conditions for site servicing being imposed should the Board be minded to grant planning permission for the development sought.

9.5.6 Civil Matters: A number civil matters have been raised that fall outside of the Boards jurisdiction and remit in the determination of this appeal case.

9.5.7 Procedural Matters: A number of procedural matters have been raised in terms of the Planning Authority's handling of this application.

Such matters are outside of the Boards remit and should be directed to the Planning Authority.

9.5.8 Appropriate Assessment: Given the nature of the proposed development, its separation from distances from Natura 2000 sites within a 15-kilometer radius and the absence of any significant pathways between the appeal site and Natura 2000 sites within this radius and beyond it is considered that the proposed development is not likely to have significant effects on any European site in light of their conservation objectives.

10.0 RECOMMENDATION

10.1 In light of the above assessment I recommend that planning permission for the proposed development be **granted** for the following reasons and considerations and subject to the conditions set out there under:-

REASONS AND CONSIDERATIONS

Having regard to the zoning of the site, the scale and nature of the proposed development, 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 of property in the vicinity. Moreover, the vehicular traffic generated by the proposed development would be capable of being accommodated on the local road network, in particular the De Granville Court distributor road, without giving rise to any material and adverse additional traffic hazard and/or inconvenience. The proposed development would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and as amended by the further information response received by the Planning Authority on the 15th day of September, 2015, except as may otherwise be required in order to comply with the following conditions. Where

such conditions require details to be agreed with the Planning Authority, the developer shall agree such details 'in writing' with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (i) Prior to the commencement of construction, details of the materials, colours and textures of all the external finishes shall be submitted to the Planning Authority for agreement. Where appropriate sample panels shall be erected at the site for inspection by the Planning Authority.
- (ii) Prior to the commencement of construction, details of all new boundary treatments shall be submitted to, and agreed in writing, with the Planning Authority.

Reason: In the interest of orderly development and the visual amenities of the area.

3. Water supply and drainage arrangements, including the attenuation, disposal of surface water and the provision of sustainable drainage measures, shall comply with the requirements of the Planning Authority and Irish Water for such works and services.

Reason: In the interest of public health.

4. 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, off-site disposal of construction waste, parking arrangements, delivery and storage of construction materials, and methods to keep public roads clean from spillages and deposits that may arise during the course of construction. It is advised that this plan includes details of construction traffic management and construction traffic routes.

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

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. 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.

Advisory Note: Section 34(13) of the PDA.

P.M. Young
Planning Inspector
15th February, 2016.