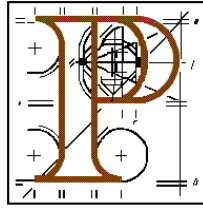


An Bord Pleanála



Inspector's Report

Appeal Ref. No:	PL06D.246537
Proposed Development:	Partially demolish public house, change of use of first floor to office and erect 39 residential units, 7 retail units.
Location:	Golden Ball Public House, Enniskerry Road, Kilternan, Dublin 18.
Applicants:	Calerotech Ltd.
Planning Authority Reg. Ref:	D16A/0090
Planning Authority:	Dun Laoghaire Rathdown County Council
P.A. Decision:	Refuse Permission
Appeal Type:	Applicant vs Refusal
Appellants:	Calerotech Ltd
Observers:	Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
Date of Site Inspection:	15th July 2016
Inspector:	Hugh Mannion

1. SITE AND SURROUNDINGS

The appeal site, which has a stated area of 1.69 hectares, is located in Kiltiernan village at the junction of Glenamuck Road and Enniskerry Road in south County Dublin. The site comprises a public house (the Golden Ball) and attendant hard surfaced car parking to the rear. Behind and to the north of this surfaced car parking this car park is an additional area hardcore which appears to be used at present for parking/storage associated with the redevelopment of a site immediately to the east and across the Enniskerry Road from the public house. This redevelopment appears to be residential with a three storey central block flanked by two storey apartments. The public house has seven bays with blind dormer windows in the roof. The junction of the Glenamuck Road and the Enniskerry Road is controlled by traffic lights and there is a pedestrian crossing on Glenamuck Road and on Enniskerry Road immediately south of the junction.

Immediately to the left (south) of the entrance to the surface parking associated with the public house is a set of gate piers (a protected structure) associated with Kiltiernan Abbey. There is a hard surfaced avenue leading west from these gates which is straddled by the site but excluded from it because it is a wayleave for both mains water and mains sewerage. Immediately to the south of this way leave is a roughly triangular piece of land shown as in the ownership of the applicant; this area is not proposed for works in the current application and contains a very large common lime tree (number 605AP in the tree survey)

The public house car park is bounded by an existing block wall. Immediately to the south west is a significant group of trees (the largest oak is 589 in the tree survey) and on the western boundary of the site a further group of trees. The northern boundary is undefined.

2. PROPOSED DEVELOPMENT

The proposed development comprises;

- Partial demolition of the Golden Gall public house (764m² to be removed and 196m² to be retained), 378m² extension at ground and first floor with office use at first floor to give a total floor area of 596m² of which 292.7m² will be public bar and 304m² will be office.
- 2 four bed three story detached houses,

- 18 four bed three storey semi-detached houses,
- 6 one bed ground floor apartments,
- 6 two bed two storey duplex units,
- 7 three bed two storey duplex units for a total of 39 residential units,
- 7 ground floor retail units,
- 114 car parking spaces (28 for public house, 18 for retail and 68 for residential use).
- New access to Enniskerry Road, internal road, at Golden Ball pub, Enniskerry Road, Kiltiernan, County Dublin.

3. HISTORY

Under appeal reference PL06D.245117 permission was refused for the partial demolition of a public house, two-storey extension to the retained building and use of such as public house/offices and erection of 44 residential units on the current site at Golden Ball public house, Enniskerry Road, Kiltiernan, Dublin 18 because;

The proposed development is deficient in terms of the overall quality of urban design response to the Enniskerry Road and would have an adverse visual impact at this location by reason of the failure to create a coherent frontage onto this road. The proposed development would, therefore, seriously injure the visual amenities of the area and of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

4. PLANNING AUTHORITY DECISION

The planning authority refused permission because;

- The proposed development fails to incorporate trees and hedgerows, poor architectural/urban design quality, excessive car parking areas, fails to meet standards set out in the LAP and County Development Plan.
- The proposed density (26 units per ha) is too low and contravenes County Development Plan.
- The scale of the retail/commercial uses is excessive.

Housing Department recommended a grant of permission subject to a Part V condition.

The **Building Control Section** reported no objection subject to conditions.

Irish Water reported no objection subject to conditions.

Surface Water Drainage report (dated 16th March 2016) recommended further information in relation to storm water run-off.

Parks and Landscape Services (see report dated 1st April 2016) recommended refusal because of the loss of healthy oak and ash trees on site and because the hard landscaping fails to reflect the rural character of the site.

Transport Planning (reported 4th April 2016) commented that the application does not comply with the LAP objective for land parcels 12 and 13 in that it will have direct access to Enniskerry Road. The entrance/exit may not comply with the planning authority's taking in charge standards. Transport planning section does not favour additional signalised pedestrian crossings on the Enniskerry Road. Transport planning section recommended refusal.

5. APPLICANT'S APPEAL

The grounds of appeal maybe summarised as follows;

1. The proposal has been amended to reflect the decision in PL06D.245117. Revised architectural drawings, landscape plan and revised engineering drawings have been submitted with this appeal.
2. The zoning objective has changed in the new plan and the entire site is now zoned "protect and/or improve residential amenity" in the Dun Laoghaire-Rathdown County Development Plan 2016-2022. The site is within the boundary of the Kiltiernan/Glenamuck LAP which includes an objective to improve Enniskerry Road. The application meets the specific objectives set out in the LAP. The residential uses comply with the standards set out in the apartment guidelines 2007 and 2015 and with the County Development Plan standards for private open space.
3. Car parking meets the development plan standards.

4. The landuses in the area are predominantly residential and agricultural. The site immediately to the north has permission for 68 houses under PL06D.239662.
5. The access is non-controversial having been accepted by the planning authority and the Board previously.
6. The revisions to the original application provided in the appeal documents are as follows;
 - An increase in the number of residential units from 39 to 46. The density has risen to 35units/ha.
 - The retail units which in the original application faced onto Enniskerry Road in Block E and have been replaced with ground floor apartments. The height of block E is appropriate at 3 stories
 - Revisions to layout with improved public open space set out in drawing LP-001,
 - Retention of trees to rear of site,
 - The rear garden depths have been increased to meet the standards of the County Development Plan.
 - The building heights and materials comply with the LAP standards.

6. OBSERVATIONS

The Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs commented that;

- the proposal will impact on the gate piers associated with Kiltiernan Abbey RPS number 1793.
- Where permission is being granted it should be a condition that mature oak and ash trees on the southern boundary should be retained.

7. PLANNING AUTHORITY RESPONSE

The planning authority commented that the amendments submitted an application stage should be subject to a separate application.

8. FURTHER SUBMISSIONS

There are no further submissions.

9. PLANNING POLICY FRAMEWORK

It is Council policy to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas with the need to provide for sustainable residential development. In promoting more compact, good quality, higher density forms of residential development it is Council policy to have regard to the policies and objectives contained in the following Guidelines:

- Sustainable Residential Development in Urban Areas' (DoEHLG 2009).
- Urban Design Manual - A Best Practice Guide' (DoEHLG 2009).
- Quality Housing for Sustainable Communities' (DoEHLG 2007).
- Irish Design Manual for Urban Roads and Streets' (DTTaS and DoECLG, 2013).
- National Climate Change Adaptation Framework - Building Resilience to Climate Change' (DoECLG,2013).

Policy ID1

It is Council policy to ensure that all development is of high quality design that assists in promoting a 'sense of place'. The Council will promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.

Policy OSR7

It is Council policy to implement the objectives and policies of the Tree Strategy for the County – 'dlr TREES 2011-2015' - to ensure that the tree cover in the County is managed and developed to optimise the environmental, climatic and educational benefits which derive from an 'urban forest'.

10. ASSESSMENT

10.1 This assessment will consider;

Development plan policy,

Density,

Housing/Apartment standards,

Open Space/Landscaping and Trees,

Urban Design,

Car Parking & Traffic Safety,

Built Heritage,

Contributions,

Appropriate Assessment,

10.1 Development Plan Policy

10.2 The application site is zoned objective A “to protect and or improve residential amenities” in the current Dun Laoghaire Rathdown County Development Plan 2016-2022. Part of the site was formerly zoned for Town Centre development in the Kiltiernan/Glenamuck Local Area Plan 2013 but that zoning has now been superseded by the new County Development Plan.

10.3 While the original application for a mixed use residential/retail development may not have complied with the previous zoning objectives the amended proposed submitted with the appeal does comply with the zoning objective for the site.

10.4 Density

10.5 The Sustainable Residential Development in Urban Areas Guidelines for planning authorities (DOEHLG 2009) makes the case for higher density residential in proximity to cities, towns and villages and in proximity to public transport nodes – 500m from a bus stop or 1km from light rail or rail stations.

In these cases minimum densities of 50 units/ha are advised. The circumstances outlined in the Guidelines to require higher residential density do not apply in this instance.

10.6 The current county development plan sets out a policy objective (Res3) to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character of areas with the need to provide for sustainable residential development. The plan (see section 2.1.3.3) makes the point that, all else being equal, residential densities of 35units/ha will be appropriate on lands zoned A for residential development.

10.7 The application proposed a density of about 26 units/ha but this has been revised upwards in the amendments lodged with the appeal to a density of about 35 units/per ha. The application in PL06D.245117 proposed a density of 30 units/ha but the Board did not refuse on that basis. On the adjoining site immediately to the north of the current site in PL06D.239662 the Board restricted its consideration to conditions only where the proposed gross density was 30 units/ha. Having regard to the pattern of development in the area and the revisions submitted with the appeal I consider that the proposed development meets the density standard set out in the county development plan and that this is an acceptable density for the immediate area.

10.8 Housing/Apartment Standards

10.9 The county development plan (section 8.2.8.4) provides that 1 and 2 bed houses should be provided with 48m² of private open space, 3 bed units should have 60m² while 4 or more bed units should have 75m².

10.10 The originally proposed development was;

- 2 four bed three story detached houses,
- 18 four bed three storey semi-detached houses,
- 6 one bed ground floor apartments,
- 6 two bed two storey duplex units,
- 7 three bed two storey duplex units for a total of 39 residential units.

10.11 Of the 2 four bed three story detached houses (house type A – see site layout pS(00)01 received by the planning authority 12th February 2016) one provided 65m² of private open space and one provides 72m² of private open space. The 18 four bed three storey semi-detached houses (house type B) all provide a minimum of 63m² and some substantially more.

10.12 The planning authority's was dissatisfied with the original layout because the rear garden depth were less than 11m and that there is no case for relaxing this standard. The revised layout submitted at appeal stage has provided for 11m deep rear gardens which meets the planning authority's concerns on this point.

10.13 Block C comprises 6 one bed ground floor apartments with 6 two bed two storey duplex units over. The ground floor one bed apartments are 55m² and have 13.2m² terraces while the first/second storey duplex units are 107.5m² and have 8m² terraces. Block D is the same.

10.14 The Sustainable Urban Housing: Design Guidelines for New Apartments Guidelines for Planning Authorities (DOEHLG 2015) are the relevant national guidelines on apartment standards. The minimum required floor areas for new apartments are one bed/45m², two bed/73m² and three bed/90m². All the proposed apartments in blocks C and D meet this minimum standards. Storage is provided to the minimum (3m² for one bed, 6m² for two bed units) in all units. The terraces meet the minimum standards (one bed/5m², two bed/7m² and three bed/5m²) and the terraces are open to living areas. All units are dual aspect. The materials are slate roof, rendered upper floors with granite at ground floor levels.

10.15 I conclude that the proposed houses (types A and B) and the apartments in blocks C and D are acceptable and are not contrary to the county development plan standards or national guidelines.

10.16 The planning authority was particularly opposed Block E because of the over provision of retail uses on site. Given the scale of the proposed retail use and the change in the zoning of this element from neighbourhood centre to residential in the 2016-2022 County Development Plan this was a reasonable objection.

10.17 The original Block E provided two storey apartments over retail use between 52m² and 55m² with 10.5m² terraces (although it appears there was no second floor plans submitted). The applicant has submitted a revised Block E with the appeal which has amended Block E to remove the retail element and replace it with 3 three bedroom ground floor apartments (type E), 4 one bed apartments (type F) and 7 duplex apartments on first and second floor. The floor areas of these units meet the national standards. All units have a minimum of 9m² of private open space accessible from living rooms, are dual aspect and have appropriate storage.

10.18 I conclude therefore that Block E as revised is acceptable in terms of residential amenity.

10.19 Open space/Landscaping/Trees

10.20 The County Development Plan (see section 8.2.8.2) requires a maximum of 25% of sites to be retained as public open space on former institutional lands but an absolute minimum in other cases of 10%. The revised proposal submitted at appeal stage provides four open spaces; one along the southern boundary, one between blocks D and E and two central spaces between the conventional housing units. I would estimate these to comprise about 0.3ha or about 17% of the overall site. The spaces are relatively well laid out, open to public view and allow good pedestrian access. There is a reasonable mix surface treatments. Overall I conclude that the amended quantum and quality of public open space is acceptable.

10.21 It is the policy of the County Council (Policy OSR7) to implement the objectives and policies of the Tree Strategy for the County to ensure that the tree cover in the County is managed and developed to optimise the environmental, climatic and educational benefits which derive from an 'urban forest'.

10.22 The application included a tree survey (accompanied by CKM drawing 102) and landscaping plan (drawing number LP001 received by the planning authority on 12th February 2016). This identified a number of trees on site most of which would be felled to accommodate the proposed development. Only one oak tree (number 589 on drawing 102) is identified as high value and quality. This will be felled. There are a number of trees along the western boundary assessed as moderate value and quality which will be felled and another smaller group within the ownership of the applicant but outside the development site on the southern side of the site which will be retained. The planning authority's Parks and Landscape Services section reported negatively on this original plan and pointed out that some trees of notable value would be lost.

10.23 The appeal included a revised landscape plan (see LP-001 received by the Board on the 4th May 2016). The significant difference between the original and amended landscape plan is that the group of trees on the western boundary will be retained by being included in the reconfigured public open space.

10.24 I consider that the landscape assessment submitted with the application is generally accurate. The Parks and Landscape Services section's advice is reasonable and it would have been preferable had, in particular, the oaks on site (trees numbered 589 and 591) which are described as mature and in good condition been incorporated into the scheme. On the other hand

retaining the trees may require a further reduction in the residential density which would be undesirable. I was only able to identify one oak on site and it is an impressive tree. However on balance I conclude that the amended landscaping plan which retains more trees than originally proposed and incorporates additional planting over and above that originally proposed is acceptable and, subject to conditions, I do not recommend refusal on landscape grounds.

10.25 Urban Design

10.26 Section 10.6 of the LAP discusses the potential for development (up to 700 houses) in the area which would be accommodated by the provision of the Glenamuck District Distributor Road (see contributions section below). Thirteen criteria are set out in section 10.6 (see extract copy attached) but the most relevant in the present case is the requirements for proposed development to demonstrate a high level of architectural quality and urban design. The County Development Plan in policy number UD1 in relation to urban design requires that new development have regard to the principles set out in the Urban Design Manual accompanying the Sustainable Housing in Urban Areas Guidelines. The planning authority in refusal reason number 1 references these policy objectives as not being reflected sufficiently in the proposed development.

10.27 The site is located at the junction of Glenamuck Road and Enniskerry Road. The existing Golden Ball public house is two storey with small blind dormers in the roof. The revised Block E is three storeys and taller than this existing building but I do not consider it excessively so. It will provide a better defined edge along the Enniskerry Road and a stronger focal point when viewed from Glenamuck Road. Immediately opposite this site on Enniskerry Road/Glenamuck Road a new development is in the process of construction. This is three stories dropping to two on the east and north. Again on the opposite side of Enniskerry Road but just to the north there are single storey cottages set well back from the public road behind long front gardens. In the context of an overall LAP objective of providing 700 houses I see no case for replicating a one storey pattern of development on zoned lands in this area.

10.28 In summary and having particular regard to the residential zoning of the site and the pattern of development in the area I conclude that the proposed development is acceptable in terms of urban design. In this context the boundary treatment along the Enniskerry Road frontage is significant from an urban design and visual amenity perspective. I attach a draft condition in the order below requiring that the area between the public house/block E and the roadside edge should be maintained free of car parking or service vehicles

and the boundary treatment be subject to agreement with the planning authority.

10.29 Car Parking & Traffic Safety.

10.30 The application included a traffic impact assessment that concludes that the junction will continue to operate within normal capacity despite the additional traffic generated by the proposed development. It is unclear which junction the report refers to; the junction of the new development access road or the junction of the Glenamuck/Enniskerry Road. The TIA does not mention the parking provision on site.

10.31 Nevertheless the application proposes 114 car parking spaces to serve the proposed development. Table 8.2.3 of the County Development Plan requires 1 car parking space for 1 and 2 bed units, 2 spaces for three bed units. All the houses that are three bed or more have two spaces for a total of 40 spaces. The remaining 64 spaces have to serve the remaining 26 residential uses and the public house and the office space. Applying to standards set out in table 8.2.3 and table 8.2.4 about 15 spaces would be required for the public house (1/20m² for a public house of about 300m²) and about 40 spaces for the apartment uses. Some flexibility is appropriate in order to achieve the development goals set out in the County Development Plan I consider that this parking provision is unacceptable.

10.32 The Transport Planning Section states that the proposed development conflicts with the LAP in that it proposes direct access onto the Enniskerry Road whereas it should follow the advice set out in LAP which envisages a 'loop road' serving the lands. Two points are noteworthy in this regard. The lands have had their neighbourhood centre zoning changed to residential by the new county development plan which implies a different traffic regime than if commercial uses were developed on the site. Furthermore there is no 'loop road' provided for in the LAP. Map 11 attached to the LAP entitled "Development Plan Roads Objectives" has no such objective affecting the site whereas on the general zoning map there are a significant number of "indicative proposed access road(s)" one of which marginally impacts on the site. The new development being constructed opposite the site has a direct access to the Glenamuck Road. The speed limit on Enniskerry Road in this area is 50kph and the extensive car parking associated with the existing public house currently has direct access onto Enniskerry Road. In view of the policy provisions affecting the site and the existing traffic arrangements on Enniskerry Road I consider that, subject to detailed agreement with the planning authority, the proposed development is acceptable in terms of traffic safety. I attach draft condition 11 below in this matter.

10.33 Built Heritage

10.34 The Minister for Arts commented that the proposal will impact on the gate piers associated with Kiltiernan Abbey RPS number 1793.

10.35 These are two rusticated piers topped by a plinth and stone spheres located on the roadside immediately south of the site. The site boundary is drawn through the more northern of the pair on the submitted drawings. The application provides an assessment of the impact on these piers and concludes that no adverse impact will arise. However it maybe that the public notice is deficient with regard to the requirements of article 23(1) (g) of the regulations.

10.36 Notwithstanding these issues and following on my on-site observations I conclude that the proposed development can be carried out without interference with the piers and that a condition requiring protection during construction works can meet the concerns set out by the Minister.

10.37 Appropriate Assessment

10.38 The application cover letter references Knocksink Wood SAC, Ballyman Glen SAP and Wicklow Mountains SAC and SPA as all being within 15KM of the site. The application concludes that having regard to the nature and scale of the proposed development that no appropriate assessment issues arise. The planning authority noted this conclusion and did not take issue with it. I consider that it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European Site and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

10.38 Contributions

10.39 The site is within the Section 49 Supplementary Development Contribution Scheme - Glenamuck District Distributor Road Scheme and Surface Water Attenuation Ponds Scheme and is subject to a supplementary contribution condition.

11. RECOMMENDATION

The planning authority makes the point that the amendments submitted with the appeal should be subject to a separate application. In view of the relatively modest scale of the amendments submitted with the appeal I consider that it is open to the Board to incorporate them into its consideration.

Having regard to the foregoing I recommend a grant of permission for the reasons and considerations and subject to the conditions set out below.

Reasons and Considerations

Having regard to;

- the residential zoning objective for the site set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022,
- the density of the proposed residential development,
- the quantum and layout of public open space, and
- the standards of amenity provided for in the proposed residential units

it is considered that the proposed development will not injure the residential amenity of future residents of the proposed development or of existing residential development in the vicinity, will not give rise to traffic hazard or obstruction of road users and will accord with the provisions of the County Development Plan, the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (DOEHLG 2009), the Sustainable Urban Housing: Design Guidelines for New Apartments Guidelines for Planning Authorities (DOEHLG 2015) and will, otherwise, accord 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, as amended by the further plans and particulars submitted to the Board on the 4th day of May 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to

commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Bicycle parking spaces shall be provided within the site in accordance with requirements of the planning authority. The layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interests of sustainable transportation.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development. This scheme shall include the following:-

(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;

(b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;

(c) details of proposed street furniture, including bollards, lighting fixtures and seating;

(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

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

Reason: In the interest of visual amenity.

6.

(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

7.

(a) A plan containing details for the management of waste and, 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 for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

8. The area on the eastern edge of the site between the proposed block E and the public house and the Enniskerry Road shall be reserved free of car parking and service vehicles and shall be paved and landscaped in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

9. An architectural impact statement and conservation plan for the two piers associated with the former Kiltiernan Abbey shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.

Reason: To ensure that these elements of the historic structure are maintained and protected from unnecessary damage or loss of fabric.

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

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

11. The design, layout and materials of construction of the junction of the proposed access road with the Enniskerry Road shall shall comply with the detailed requirements of the planning authority. Prior to commencement of development detailed plans and particulars to comply with this condition shall be submitted to and agreed in writing with the planning authority.

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

12. 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.

13. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interests of urban legibility.

14. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

15. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

17. The developer shall pay to the planning authority a financial contribution in respect of the Glenamuck District Distributor Road Scheme and Surface Water Attenuation Ponds Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

18. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

19. 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 writing with the planning authority in relation to the provision of social and affordable housing in accordance with the requirements of section 96 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 8 weeks from the date of this order, the matter (other than a matter to which section 97(7) applies) may be referred by the planning authority or by any other prospective party to the agreement to the Board for determination.

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.

Hugh Mannion
Planning Inspector
16th August 2016