



An
Bord
Pleanála

Inspector's Report

Development	Residential development of 48 no. residential units with all associated site works at Yellow Nook Avenue, Johnstown Rd, Cabinteely, Dublin 18.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D16A/0343
Applicant	Kelland Home Ltd
Type of Application	Permission
Planning Authority Decision	Refuse
Appellant	Kelland Homes Ltd
Type of Appeal	1 st Party v. Refusal
Observer(s)	None
Inspector	Colin McBride
Date of Site Inspection	18 th October 2016

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 1.14 hectares, is located in Cabinteely, a suburban area within Dun Laoghaire Rathdown County, about 2.75km south of Dun Laoghaire and 12km south-east of the centre of Dublin. The site is located to the north-west of Johnstown Road, and is accessed through an existing housing development, Yellow Nook Avenue (5 dwellings), which has a vehicular entrance off Johnstown Road. The site levels increase gently moving south east/north west as well as increasing moving south west to north east. Land uses in the vicinity of the site are a mixture of well-established residential, commercial/shopping, industrial and open space/recreational. To the south east of the site is the existing housing development of Yellow Nook Avenue, to the south west is a pitch and putt course (zoned F, 'open space and recreational amenities'), to the north west are industrial structures including some very sizeable warehousing buildings and to the north east is a patio/garden centre.

2.0 Proposed Development

2.1 Permission is sought for a residential development consisting of 20 no. houses and 28 no. apartments. The proposed development consists of (i) 12 no. 4 bedroom 2-3 storey semi-detached houses, (ii) 4 no. 5 bedroom 2-3 storey semi-detached houses, (iii) 4 no. 5 bedroom 3 storey semi-detached houses and (iv) 28 no. 1, 2 and 3 bedroom apartments in 2 no. 5 storey apartment buildings, with semi-basement car parking provided for under one of the buildings. Access to the proposed development is via an existing access delivered under a previously permitted development (PL06D.111754).

3.0 Planning Authority Decision

3.1 Decision

3.1.1 Permission refused based on two reasons...

1. It is considered that the layout of the proposed development does not demonstrate a high level of architectural quality and urban design, with proposed areas of car parking at surface and a linear public open space area, resulting in an unappealing layout; lacking clear spatial structure, vitality, variety, legibility, robustness and special identity. Therefore, the proposed development fails to comply with and is contrary to Policy UD1 (Urban Design Principles) of the 2016-2022 Dún Laoghaire-Rathdown County Development Plan. The proposed development would, therefore be contrary to the proper planning and sustainable development of the area.

2. It is considered that the layout of the proposed development is deficient in terms of the quantity and quality of public open space provision. In particular, serious concerns exist that the main area of public open space provision, by virtue of its location on the southern western side of the site and to the south of the proposed apartment blocks, will be separated both visually and physically from the majority of the development. This would contravene guidance set out in Sections 8.2.8.2(i) and 8.2.8.3 of the 2016-2022 Dun Laoghaire - Rathdown County Development Plan, which advises that public open space should be well overlooked and visible from and accessible to the maximum number of dwellings. The proposed development would therefore be sub-standard in terms of layout and public open space provision and would be seriously injurious to the amenities of future residents and contrary to the proper planning and sustainable development of the area.

3.2 Planning Authority Reports

3.2.1

- (a) Parks and Landscape Services (26/05/16): Further information including details regarding attenuation and surface water drainage.
- (b) Waste Enforcement (08/06/16): Conditions in the event of a grant of permission.
- (c) Irish Water (15/06/16): No objection.
- (d) Drainage Planning (09/06/16): Further information required including details regarding attenuation and surface water proposals.
- (e) Transportation Planning (30/06/16): Further information required including provision of a Toucan crossing on Johnstown Road, provision of future access road to adjacent sites, a detailed road safety audit including a walking audit and a demonstration that the proposal meets the standards to be taken in charge.
- (f) Planning Report (08/07/16): Concerns were raised regarding the design and scale of the apartment component in the context of quality and overall visual impact. Concerns were also raised regarding the quality of the layout in terms of distribution and location of public open space. Refusal was recommended based on the reasons outlined above.

4.0 Planning History

- 4.1 PL06D.127662: Permission refused for 145 apartments including all associated works, part of which is the subject of an existing permission for 11 no. houses (D97A/0883). This proposal includes the current appeal site and the existing housing development to the south east (Yellow Nook Avenue). Refused for two reasons...

1. It is considered that the proposed development of two-bedroom apartments, by reason of its design, scale, massing and layout, would seriously injure the visual amenities of the area and the residential amenities of future occupants. The proposed development would, therefore, be contrary to the proper planning and development of the area.
 2. Having regard to the scale and density of the proposed development of two bedroom apartments, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and appeal, that the proposed development would not lead to an unacceptable increase in traffic volume on Johnstown Road. The proposed development would, therefore, be contrary to the proper planning and development of the area.
- 4.2 PL06D.111754: Permission granted for 10 no. semi-detached and 1 no. detached 4 bed houses on the site to the south east of the appeal site.

5.0 Development Plan

- 5.1 The relevant plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022.

The site is zoned Objective 'A' with a stated objective 'to protect and/or improve residential amenity'.

- 5.2 Policy RES3: Residential Density (Section 2.1.3.3)

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 Adaption Framework-Building Resilience to Climate Change (DoECLG 2013).

5.3 Under Section 2.1.3.3 on Residential Density the following is also noted...

Where a site is located within circa 1 kilometre pedestrian catchment of a rail station, Luas line, BRT, Priority 1 Quality Bus Corridor and/or 500 metres of a Bus Priority Route, and/or 1 kilometre of a Town or District Centre, higher densities at a minimum of 50 units per hectare will be encouraged. As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning Objectives 'GB', 'G' and 'B') shall be 35 units per hectare. This density may not be appropriate in all instances, but will serve as a general guidance rule, particularly in relation to 'greenfield' sites or larger 'A' zoned areas.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A first party appeal has been lodged by Delphi Design Planning on behalf of the applicant, Kelland Home Ltd. The grounds of appeal are as follows...

- The layout of the proposal has regard to existing development with it logical to provide the apartment development at the northern end of the site adjacent existing industrial development. The layout of open space is based on a continuation of the existing open space in the adjoining development to the south.
- The appellants refute the assertion that the proposal does not demonstrate a high level of architectural quality noting that the overall design has regard to the amenities of adjoining properties, the visual amenities of the area and is of good quality in terms of architectural character and layout.
- The scale and design of the proposed apartment blocks are satisfactory in the context of its layout/residential amenity and its overall design and visual impact at this location.
- It is noted the proposal is acceptable in regards to permeability and is well connected to the neighbourhood and adjoining amenities. The appellants refute the Planning Authority's assessment that the proposal lacks vitality, variety and legibility. The appellants notes that the site is an infill site zoned for residential development and the layout and access is dictated by the existing access road through the housing development to the south.
- The appellants question the assessment of the proposal in term robustness and its definition under the County Development Plan. It is noted that the site is less than 3 hectares in size and zoned for residential use with it considered

the layout and design of the development is satisfactory in the context of the County Development Plan.

- It is noted that the parking layout is satisfactory and is an efficient and practical layout.
- It is reiterated the design and layout of the public open space is dictated by the shape of the site, the access road through the existing housing development and the connection to the adjoining open space in such. It is also noted that the open space area adjoin a site zoned F (amenity space) under the County Development Plan and that future connections to such are feasible.
- The appellants note that design and layout of the proposal does provide for dwellings that overlook the open space area contrary to the Planning Authority's view on this matter. It is noted that the level of open space is 12.8% of the site area and in addition to such there is communal areas of open space in Block C and D. It is noted that the open space area can provide for a children's play area and the applicant was not afforded the opportunity to respond to a request for such.

7.0 Planning Authority Response

7.1 Response by Dun Laoghaire Rathdown County Council.

7.1.1

- The Planning Authority remain of the opinion that the proposed development has failed to provide for a development of high architectural quality and urban design, in addition it is considered that the quantity and quality of public open space is substandard.

8.0 Assessment

8.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Principle of the proposed development/Development Plan policy

Density

Development control standards

Visual/adjoining amenity

Urban design

Traffic

Other issues

8.2 Principle of the proposed development:

8.2.1 The relevant plan is the Dun Laoghaire Rathdown County Council Development Plan 2016-2022. The site is zoned 'Objective A' with a stated objective 'to protect and or improve residential amenity'. The proposal is for residential use and is compliant with land use policy. The site is currently in residential use with a large detached dwelling (protected structure) and the adjoining development is also similar low density residential development. The proposal entails an increased density on serviced and zoned lands and would be compliant with development plan policy, under RES 3 as outlined above. I would consider the principle of the proposed development to be acceptable subject to the proposal being satisfactory in the context of its impact upon the character and setting of a protected structure, the amenities of adjoining properties, visual amenity and traffic safety and convenience.

8.3 Density:

8.3.1 The proposal is for 48 new residential units on site of 1.14 hectares. This gives a density of 42 units per hectare respectively. The proposal entails an increased density on serviced and zoned lands and would be compliant with development plan policy, under RES 3 as it provides for a higher density of development on zoned and serviced lands. The density is also above the default minimum density of 35 units per hectare recommended under Development Plan policy. The acceptability of the proposal and density is contingent on the overall impact of the proposal in regards to the amenities of adjoining properties and the overall design quality of the layout in the context of the amenity of the future residents. These aspects of the proposal are to be assessed in the following sections of this report, however the proposal is broadly consistent with Development Plan policy in regards to density.

8.4 Development Control Standards:

8.4.1 In relation to residential development the issues concerning development control relate to the provision of public/private open space and car parking. In regards to general development control objectives the proposal entails the provision of 20 no. dwellings all of which are two-storey semi-detached dwellings with 8 no. five bed units. The proposal provides for two apartment blocks (Block C and D) providing for 2 no. one bed units, 24 no. two bed units and 2 no. three bed units. Under Section 8.2.8.4 of the County Development Plan the minimum requirement for dwellings with four bedrooms of more is 75 square metres. The proposal provides for four and five bed dwellings with all dwellings apart from dwelling no. 20 (47.931sqm) having in excess of the minimum of 75sqm. In regards to dwelling no 20, I would recommend that it is permitted despite being below the minimum standard as the overall scheme is generally compliant in regards to development control objectives and its omission would not necessarily improve the scheme or make the most efficient use of zoned serviced land.

- 8.4.2 Minimum standards for private open space in apartment development is set out under Table 8.2.5 of the County Development Plan with the required standards being 6 sqm for a one bed unit, 8 sqm for a two bed unit and 10 sqm for a three bed unit. All apartment units have balcony/terrace areas directly accessible from the unit it serves and meet the minimum size requirements set down under Table 8.2.5 of the County Development Plan.
- 8.4.3 In regards to public open space, Section 8.2.8.2 of the County Development Plan it is noted that “for all developments with a residential component – 5+ units - the requirement of 15 sq.m- 20 sq.m of Open Space per person shall apply based on the number of residential/housing units. For calculation purposes, open space requirements shall be based on a presumed occupancy rate of 3.5 persons in the case of dwellings with three or more bedrooms (1.5 persons for two bed or less)”. It is also noted that irrespective of the circumstances outlined under Section 8.2.8.2 including relaxed standards due proximity to existing park facilities and financial contributions in lieu of public open space “the default minimum 10% open space requirement must be provided on site”. The proposed development features three areas of public open space which include an area of 1,460.165sqm located along the south western boundary, a communal open space area of 461.023sqm located to the rear of Block C (adjacent north western boundary) and a communal open space area of 150.899sqm to the rear of Block D. This gives a total of 2,072.087sqm of public open space within the scheme. Based on Development Plan requirements the proposal requires from 1,740-2,320 sqm metres and a default minimum of 10% of the site area. The main area of open space adjacent the south western boundary (1,460.165sqm), which is accessible to all in the scheme accounts for 12.8% of the site area. I would consider that the level of public open space provided is compliant with Development Plan requirements in regards to quantitative standards.
- 8.4.4 Car parking standards are set out under Table 8.2.3 of the County Development Plan with the requirement for apartments being 1 space per one bed unit, 1.5 spaces per two bed unit and 2 spaces per three bed unit, in the case of the dwellings the requirement is 1 space per one and two bed units and 2 spaces per three bed plus units. All dwellings have dedicated off street car parking for at least two cars in keeping with Development Plan policy. In relation to the apartment component of the development Block C has 29 car parking spaces in a semi-basement level. This would be compliant with Development Plan requirements, which would total 28 spaces for Block C. In the case Block D 11 spaces are provided with the requirement under Development Plan policy being 14. In addition to parking specific to the units there are 4 visitor parking spaces. The total number of parking spaces provided on site is compliant with the minimum requirements of the Development Plan. In regards to the shortfall for Block D I would note that

there is at least one space per apartment unit and there is the possibility that such is more than sufficient to serve the proposed development in light of the fact that other modes of transport are available (public transport). It is notable that no cycle parking is incorporated into the proposal. I would consider that such is a necessity and that there is scope for such to be provided on site. In this regard I would recommend a condition requiring such to be provided in the event of a grant of permission.

8.5 Visual/adjoining amenity:

- 8.5.1 The assessment of the proposal is critical of the proposal in regards to visual impact and such is mainly centered on the apartment component of the proposed development, however such is not included as a reason for refusal with such focusing on the overall quality of the layout in relation to urban design requirements, and quality and layout of public open space. In regards to overall visual impact the site is an undeveloped vacant site that is located away from the public road and is to be accessed through an existing small housing development to the south of the site with access from Johnstown Road. Existing adjoining development consists of the existing housing development to the south, which are mainly two-storey semi-detached dwellings, to the south west is a pitch and putt course that is zoned F (Open space and recreational amenities) under the County Development Plan, to the north west is existing industrial development (Amgen) which includes some sizeable industrial structures and to the north east is commercial development in the form of a garden/patio centre.
- 8.5.2 The proposal entails the provision of four rows of dwellings orientated south west/north east on the majority of the site with two apartment blocks located adjacent the north eastern boundary. The finished floor level of the dwellings increases moving from the south west to north east of the site. The dwellings are three-storey dwellings (second floor contained within roof space) with ridge heights of 10.219 and 12.210m. Block C is the larger of the two apartment block and is five-storeys with ridge height of 19.725m (highest level above ground level) while Block D is five-storeys with a ridge height of 15.2m. The layout of the proposal is such that the proposed dwellings are located adjacent existing residential development to the south and are similar in nature and ridge height to such, while the apartment development is confined to the north east of the site where it adjoins existing industrial development including some very large industrial buildings. I would consider that the layout and scale of development has adequate regard to the visual amenities of the area and that the nature and scale of development is not out of character at this location, which has a mix of residential development including dwellings and apartments as well adjoining commercial development. I am satisfied that the overall visual impact of the proposed development would be satisfactory

at this location and taken in conjunction with appropriate landscaping measures and external finishes would be acceptable in the context of the visual amenities of the area.

8.5.3 The design and layout of the proposal has adequate regard to the amenities of adjoining properties. Where the proposal adjoins existing residential development to the south west of the site, the scale and type of development is similar in nature to such and the degree of separation from existing residential development is sufficient to protect residential amenities. The site adjoins existing commercial development to the north east, existing industrial development to the north west with the design and scale of such having no adverse impact on the amenities of existing uses on the adjoining sites nor would it impact on the future redevelopment of such sites. The site adjoins an existing pitch and putt course to the south west, which is zoned F (Open space and recreational amenities). The proposal provides the majority of open space adjoining the boundary with such lands and would have no adverse impact on the existing amenities of the land use or potential future use. I am satisfied based on the design and scale of the proposal that it would have no adverse impact on the amenities of adjoining properties.

8.6 Urban design:

8.6.1 One of the main reason for refusal noted that “it is considered that the layout of the proposed development is deficient in terms of the quantity and quality of public open space provision. In particular, serious concerns exist that the main area of public open space provision, by virtue of its location on the southern western side of the site and to the south of the proposed apartment blocks, will be separated both visually and physically from the majority of the development. This would contravene guidance set out in Sections 8.2.8.2(i) and 8.2.8.3 of the 2016-2022 Dun Laoghaire - Rathdown County Development Plan, which advises that public open space should be well overlooked and visible from and accessible to the maximum number of dwellings. The proposed development would therefore be sub-standard in terms of layout and public open space provision and would be seriously injurious to the amenities of future residents and contrary to the proper planning and sustainable development of the area”.

8.6.2 As noted above the proposal is generally compliant with minimum development standards and has more than sufficient levels of public open space. The majority of public open space is located along the south western boundary of the site with the proposed dwellings located in cul-de-sacs. None of the 20 dwellings directly face onto the public open space with the gables of dwellings nos 4, 5, 9 and 13 orientated towards the public open space. The Planning Authority's' assessment is critical of the quality and design of the

overall scheme with particular concerns regarding the layout of the public open space. In this regard I would note that the overall scheme is not large in size so the public open space is reasonably accessible to the dwellings it serves. I would also note that the design of the dwellings and in particular the south western gables of no.s 4, 5, 9 and 13 are configured to overlook the public open space area. I would also concur with the appellants' argument that the position of the service road is dictated to degree by the need to link into the existing service road on adjoining lands.

8.6.3 The other reason for refusal indicates that "it is considered that the layout of the proposed development does not demonstrate a high level of architectural quality and urban design, with proposed areas of car parking at surface and a linear public open space area, resulting in an unappealing layout; lacking clear spatial structure, vitality, variety, legibility, robustness and special identity. Therefore, the proposed development fails to comply with and is contrary to Policy UD1 (Urban Design Principles) of the 2016-2022 Dún Laoghaire-Rathdown County Development Plan. The proposed development would, therefore be contrary to the proper planning and sustainable development of the area". In this regard I would note that the overall design and layout is not of exceptional architectural and urban design standards, nonetheless it provides for a reasonable standard of development in terms of public and private open space, connection to existing amenities in the area, impact in regards to the visual and residential amenities of the area, and would provide a reasonable standard of amenity for future residents. I would note that although not of exceptional merit in regards to its architectural and urban design quality, it nonetheless represents a reasonable standard of residential development and in this regard does not merit refusal on such grounds. I would consider that the standard of development proposed is not out of keeping with the design and quality of residential development constructed and permitted in such areas in recent times. I would consider that subject to a number of conditions including the provision of a defined play area and cycle parking that the proposal would be in accordance with the proper planning and sustainable development of the area.

8.7 Traffic/access:

8.7.1 The proposal entails access from Johnstown Road through an existing housing development (Yellow Nook Avenue). The existing housing development consists of 5 dwellings along a 6m wide service road with a footpath along one side. It is proposed to link into the existing service road (6m wide serve road with footpaths). The proposal is to use the existing vehicular access onto Johnstown Road. The previous proposal for development at this location under PL06D.127662 was refused due to concerns that "having regard to the scale and density of the proposed

development of two bedroom apartments, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and appeal, that the proposed development would not lead to an unacceptable increase in traffic volume on Johnstown Road. The proposed development would, therefore, be contrary to the proper planning and development of the area". It is notable that in the Inspectors report associated with this decision it was noted that the Johnstown Road is a heavily traffic road and there were potential concerns regarding the adequacy of the existing vehicular entrance in regards to sightlines in the context of the level of development proposed (existing entrance more suitable for lower traffic levels associated with the existing development).

8.7.2 The proposal is for 48 units and represents a significant decrease in the number units proposed at this location from the previous proposal for 145 units. The accompanying documents include an engineering report that outlines estimated trip generation for the peak traffic hours (weekdays 08:00-09:00am and 17:00-18:00am). It is noted that the level of trip generation anticipated is modest and not expected to result in a significant increase in traffic generation. The information submitted also indicates that the sightlines in accordance with the recommendation of the Design Manual for Urban Roads and Streets (Table 4.2) of 49m in each direction (setback 2.4m). Having inspected the site I would concur that the sightlines standards set down under the Design Manual for Urban Roads and Streets are achievable at this location and the proposal uses an existing access and distributor road that are of a sufficient standard and layout to provide for the level of traffic associated with the proposed development. In addition, I would note that there are no alternative access arrangements feasible to access this undeveloped portion of lands zoned for residential use with the logical access arrangements for such proposed in this case. The scale of the proposed development is greatly reduced over the previous proposal at this location while at the same time providing for a development with a density above the minimum required default density under Development Plan policy. I would consider that the level of traffic likely to generated at this location would have no significant or adverse impact on existing traffic movements within the area and that the access arrangements onto Johnstown Road are acceptable in the context of traffic safety. In addition I would note that location of the site within an established built up area on zoned lands would mean that there would not be a total reliance on car transportation with the site within walking distance of local amenities and services and existing public transport facilities in the area (bus).

8.7.3 A number of issues were raised by the Planning Authority in their assessment of the proposal. These include concerns regarding lack of footpaths along the side of the Johnstown Road on which the site is located and the need for a

Toucan crossing to facilitate pedestrians using the neighbourhood centre on the opposite side of the road. In regards footpaths there is a lack of footpaths along the side of the Johnstown Road the site is located on, there however a is constant footpath along the opposite side and there is a footpath along the frontage of the existing housing development through which the site is accessed. It is also notable that Johnstown Road is well serviced in regards to cycle paths with such located on each side of the public road. I am satisfied that the proposal is acceptable in regards traffic and transportation issues.

8.8 Other Issues:

8.8.1 A number of issues were raised regarding attenuation and surface water drainage and the internal Council report recommended the request for further information. It is also notable that internal reports recommended further information requiring the applicant to provide specifications in keeping with that required by the Council for taking in charge. I would consider that such issues regarding drainage and specifications can be dealt with by way of condition.

8.8.2 Having regard to the nature and scale of the proposed development and its proximity to the nearest 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 I recommend a grant of permission subject to the following conditions.

10.0 Reasons and Considerations

10.1 Having regard to the provisions of the current Dun Laoghaire Rathdown County Development Plan 2016-2022, to the pattern of development in the area and to the nature, form, scale and design 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 residential or visual amenities of the area, and would be acceptable in the context of traffic safety and convenience. 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 16th 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. The proposed development shall be amended as follows:

(a) A dedicated children's play area shall be incorporated into the public open space area.

(b) The applicant/developer shall provide cycle parking within the overall scheme in accordance with Development plan standards.

Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity and conservation.

3. 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.

4. 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.

Reason: In the interests of visual and residential amenity.

5. 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.

6. Proposals for an estate/street name, house and apartment 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/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) 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 and to ensure the use of locally appropriate placenames for new residential areas.

7. The open spaces shall be developed for, and devoted to public use. They shall be kept free of any development and shall not be incorporated into house plots.

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

8. 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.

9. 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 eight weeks from the date of this order, the matter in dispute (other than a matter to which section 97(7) applies) may be referred by the planning authority or 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 for the area.

10. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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

12. 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 noise management measures and off-site disposal of construction/demolition waste.

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

13. Prior to commencement of development, the applicant shall submit full details of a properly constituted Owner's Management Company for the written agreement of the planning authority. This shall include a layout map of the development showing those areas to be maintained by the Owner's Management Company. Membership of this Company shall be compulsory for all purchasers of property in the development. Confirmation that this Company has been set up shall be submitted to the planning authority prior to the occupation of the first residential unit. All roads and services within the privately managed areas shall be completed to the planning authority's taking in charge standards.

Reason: To provide for the satisfactory completion and maintenance of the development in the interest of residential amenity.

14. 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 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.

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

15. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 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.

16. 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 of roads, footpaths, watermains, drains, open space 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 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 referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

Colin McBride
28th October 2016