



An
Bord
Pleanála

Inspector's Report PL 06D.247812

Development

Demolition of a bungalow, refurbishment of Beechlands House and Barn Close to provide four houses, provision of 36 apartments in four blocks, construction of 21 houses and retention and structural works to Shanganagh Castle.

Location

Shanganagh Road, Shankill, Dublin 18.

Planning Authority

Dún Laoghaire-Rathdown County Council

Planning Authority Reg. Ref.

D15A/0840

Applicant(s)

Fortiori Developments Ltd.

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Faye & Vincent Drouillard
Trevor & Corrina Dolan
David & Edna Matthews

Observer(s)	Broomfield Hall Management Company Emma Fitzgerald Cormac Fitzgerald Rathmichael Historical Society The Medieval Bray Project Shankill Tidy Towns An Taisce
Date of Site Inspection	19 th April, 2017
Inspector	Kevin Moore

1.0 Site Location and Description

The proposed site, roughly triangular in shape, comprises a land area of c.1.5 hectares enclosed by stone walls. Beechlands House and Barn Close and their associated outbuildings are located centrally within the site. The houses are both protected structures. Barn Close Lodge, a single-storey dwelling, is also located on the site, along the eastern boundary. Shanganagh Castle, which is a recorded archaeological monument, is located at the north-western corner of the site. There is extensive tree and shrub planting throughout, with many mature trees.

Access to Beechlands is via a vehicular entrance onto Shanganagh Road (Regional Road No. R119) at the north-east boundary, immediately south of a gate lodge outside of the site (Ranville Lodge). There is a separate vehicular access to Barn Close and Barn Close Lodge immediately to the north of the latter.

The site is bounded by Shanganagh Road to the east, Florenceville (a protected structure) and Ranville Lodge to the north, and by the residential estates of Broomfield Court and Seaview Lawn/Park to the west.

2.0 Proposed Development

2.1. The proposed development comprises:

- The demolition of a bungalow (“Barn Close Lodge”) and existing outbuildings;
- The subdivision of, alterations to and refurbishment of “Beechlands House” and “Barn Close”, including demolition of existing extensions, to provide for their use as 4 no. dwellings, consisting of 2 no. three-bedroom and 2 no. four-bedroom houses, inclusive of two-storey extensions to the rear of these existing structures;
- The provision of 36 no. apartments in four blocks of three (Block C and D), four (Block B), and five stories in height (Block A), with basement car parking in two blocks (Blocks A and B);
- The provision of 13 no. three-bedroom houses and 8 no. four-bedroom two-storey houses with attic accommodation;

- The retention of and structural works to Shanganagh Castle and incorporation into a publicly accessible landscaped area;
- Vehicular and pedestrian access via an upgrade of the existing entrance from Shanganagh Road;
- Provision of a road reservation on the south-eastern portion of the site to cater for the upgrading of the Shanganagh Road;
- The provision of 49 surface level car parking spaces and 47 basement level car parking spaces; and
- Landscaping, open spaces, alterations to boundary treatment and associated site works.

Details submitted with the application included a planning report, a design statement, an archaeological impact report, a landscape character assessment, an engineering services report, a landscape concept design report, a landscape and visual impact assessment, a landscape character assessment, an arboricultural assessment, a conservation report, an ecology report, an appropriate assessment screening report, a mobility management plan, an operational waste management plan, an outline construction management plan, and a construction and demolition waste management plan. Letters of consent for the making of the application from the property owners whose lands make up the site were also included.

3.0 Planning Authority Decision

3.1. Decision

On 2nd December, 2016 Dún Laoghaire-Rathdown County Council decided to grant permission for the development subject to 46 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner noted development plan provisions relating to the site and the submissions made. The report restated the internal reports received in their entirety. Details were provided on pre-planning meetings held. Residential development was

considered acceptable in principle at this location and the density of development and mix of dwelling types were also generally considered appropriate. Apartment Block A was considered acceptable in the streetscape following the envisaged realignment of Shanganagh Road. Apartment Block B was seen as not having an adverse impact on the amenities of Broomfield Court and Abington Park. The fifth floor of this block was considered to require redesign due to its impact on the streetscape. It was considered that Apartment Block C would not have any significant impact on the amenities of houses at Broomfield Court. Apartment Block D was seen to have no adverse impact on the setting or amenities of the adjoining recorded monument. It was considered to have an overbearing impact on Florenceville House (a protected structure) to the north. Revisions to this block were regarded as necessary. Concerns were raised about the impacts of proposed housing to the north-east and housing in the vicinity of the protected structures. Revisions were considered necessary. Rear gardens for a number of housing units were also regarded as substandard. A request for further information was recommended.

3.2.2. Other Technical Reports

The Housing Department noted that the applicant's proposal to transfer units on site was capable of complying with Part V requirements.

The Drainage Engineer requested further details on surface water drainage relating to routing, the position of the hydrobrake, green roof proposals, and attenuation arrangements.

The Conservation Officer submitted that, while there is no objection to the principle of the development, a number of heritage concerns arose. Three aspects of the scheme were of concern – the buildings to the west of Beechlands were considered to have a visual impact on the protected structure, the 'court yard' houses (House Type 5 and 5a) would have a visual impact on the protected structure, and the height of apartment block A would be visually detrimental to the protected structure. The principle of creating 4 houses within the protected structures was considered acceptable. Clarity on drawings was regarded as necessary. The removal of an original staircase in Beechlands was considered unacceptable. Further details were

considered necessary on proposed en-suites, limestone flags, external wall finishes, and windows of the protected structures. The proposed extensions to the rear of the protected structures were considered to be inappropriate in design, height and scale. A further information request was recommended on the issues raised.

The Building Control Engineer outlined details pertaining to taking-in-charge and construction requirements.

The Transportation Planning Engineer identified needs to upgrade the Shanganagh Road to accommodate the proposed development. The shortfall of 6.5 car parking spaces was considered unacceptable. Unimpeded emergency access to Block C was also raised as a concern. Further information was recommended.

The Parks Superintendent considered the proposals to be generally acceptable and set out a schedule of conditions.

A request for further information was issued by the planning authority on 25th February, 2016. Information requested related to apartment design, house design, conservation, transportation and access, drainage, and landscaping and boundary treatment. A response to this request was received by the planning authority on 10th October, 2016 and included revised drawings and plans, engineering and conservation reports, and updated photomontages. The revised public notices referred to the development as providing 4 no. dwellings arising from alterations and refurbishment of the protected structures, 36 no. apartments and 13 no. houses. The revisions made included:

- increased setback of buildings from the northern and western site boundaries,
- changes to the housing unit mix,
- revised elevation material treatment of apartment blocks and alterations to penthouse levels of Blocks A and B,
- increase in surface car parking from 49 to 59 spaces,
- alterations to house design, layout and heights to the east and west of the protected structures and to the north, and
- revisions to the proposed extensions to the protected structures.

The further information response changed the housing mix but did not alter the number of residential units overall, which remained at 61.

The reports to the planning authority following this submission were as follows:

The Public Lighting Engineer submitted minor adjustments were need to bring the lighting scheme up to required standards.

The Drainage Engineer considered the further information satisfactory and recommended conditions.

The Conservation Officer considered matters raised had been addressed and that where concerns remained, these could be addressed by way of the attachment of conditions.

The Parks Superintendent recommended a schedule of conditions.

The Transportation Engineer had no objection to the proposal subject to conditions.

The Planner repeated the first report and restated the content of all internal reports received. In the assessment of the further information, reference was made to the findings of other reports received. Overall, the further information was seen to adequately address the issues raised. It was noted that the revised public notices made incorrect reference to the number of proposed houses and it was considered that new notices were required. Clarification seeking new notices was recommended.

New public notices were requested by way of clarification on 3rd November 2016 and the notices were submitted on 7th November 2016.

Following the submission of these notices the Planner noted that a total of 61 dwelling units were proposed. A grant of permission was recommended subject to conditions.

3.3. **Prescribed Bodies**

An Taisce raised concern about effects on the protected structures by way of impact on cornices, impact by the proposed extensions, and lack of regard for their curtilage. Concerns were also raised about the height of Block A and the adverse impact of Block D. The removal of the lodge was considered acceptable while it was recommended that an archaeologist be retained during excavation.

Department of Arts, Heritage and the Gaeltacht recommended that the recommendations of the archaeological impact assessment report be included as conditions in the event of a grant of permission. It was further submitted that the works to the castle will require agreement with the Department.

Irish Water requested further information on upgrading of the proposed foul sewer.

3.4. **Third Party Observations**

Observations were made to the planning authority by Damien Bourke, Carol Scott, Cyril Byrne, Neasas and Ken Hainbach, Bernie and David Lowe, Gerry and Margaret Pinkster, Conor and Valerie Pierce, Cormac Fitzgerald, Emma Fitzgerald, Broomfield Hall Management Co., Brian and Deirdre Guyett, Kevin Smith, Lorraine and Bernard Harris, David Bryce, Christy and Aideen Grant, David MacNeaney, Michael and Claire Liuzzi, Marcus and Karen Wren, Paul and Fiona Fleming, Brendan McKeever, David and Edna Matthews, Trevor and Corrina Dolan, Breda and Frank Wolahan, Kate McDermott, Sean and Mairead Farrell, Seaview Residents Association, and Faye and Vincent Drouillard. The principle planning issues raised are contained within the submitted appeals and observations to the Board.

Further observations, following the receipt of further information, were made by Faye and Vincent Drouillard, Trevor and Corrina Dolan, David and Edna Matthews, Cormac and Emma Fitzgerald, Seaview Residents Association, Sean and Mairead Farrell, Carol Scott, and Conor and Valerie Pierce.

Following the submission of revised public notices arising from the planning authority's clarification, further observations were made by Faye and Vincent Drouillard, Trevor and Corinna Dolan, Brian and Deirdre Guyett, David and Edna Matthews, and Michael and Claire Liuzzi.

4.0 Planning History

P.A. Ref. 92B/0831

Permission was granted in 1992 for the renovation and restoration to a gate lodge at Barn Close.

I further note from the planning application documentation and the Planner's report that there is planning history relating to development in the immediate vicinity of the site.

5.0 Policy Context

5.1. Dún Laoghaire-Rathdown County Development Plan 2016-2022

Zoning

The site is zoned 'A' with the objective "To protect and/or improve residential amenity."

Protected Structures

Beechlands and Barn Close are listed as protected structures (RPS Refs. 1784 and 1785).

Policy AR1:

It is Council policy to:

- i. Include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures (RPS).
- ii. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- iii. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011).
- iv. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.

Archaeology

Shanganagh Castle is a recorded archaeological monument (RMP 026-031001).

Policy AH1:

It is Council policy to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places (RMP) and, where feasible, appropriate and applicable to promote access to and signposting of such sites and monuments.

Trees and Woodland

The site is subject to an objective "To protect and preserve trees and woodlands."

Road Infrastructure

The eastern edge of the site forms part of a 6-year road objective to upgrade Shanganagh Road.

6.0 The Appeals

6.1. Grounds of Appeal

6.1.1 *Appeal by Faye and Vincent Drouillard*

The appellants reside at Florenceville, a protected structure to the north of the site.

The grounds of appeal may be synthesised as follows:

Traffic Impact

- Shanganagh Road is already at capacity. The existing road is inadequate to accommodate additional traffic.
- There is no timeframe for the road improvement scheme and the widening of the road will have significant adverse impacts for properties on the east side of the road.
- The development would have significant traffic impacts on Commons Road to the north and Shanganagh Bridge (a protected structure).
- The proposal is premature before the design and implementation of road widening at this location.

Community Facilities

- All primary schools are at capacity and there are no secondary schools in the neighbourhood. The development would, thus, add pressure to an already congested road network.

Impact of Proposed Block D on Florenceville

- The setback of this block by way of further information does not address the visually overbearing presence of the block so close to the appellants' boundary.
- The setback will not accommodate proposed screening.
- Block D and housing west of the castle would shade the front of Florenceville during the winter months and would reduce evening light all year round.
- Notwithstanding angled bay windows in Block D to seek to address overlooking, these revisions do not address the substantive issue of the block being too close to the boundary. The block should be omitted.

Impact of Houses 12-14

- There were minimal concessions made by the applicant in the response to further information on the issue raised relating to the proximity of these houses to Florenceville avenue and boundary and to Ranville Lodge. They do not constitute an appropriate response and the houses should be omitted.

Impact of Proposed Block D on Shanganagh Castle

- In the revised plans, Block D is moved closer to the castle, increasing its overbearing presence. The view from the site entrance is obscured.
- The foundations of the block would be at the eastern corner of the original square footprint of the monument.

Impacts of Blocks C, B and A

- The setback of 1.4 metres to the fifth floor of Block B would not diminish its overbearing presence on the streetscape.

- Block C would be visually overbearing on the protected structure and would cause considerable overshadowing.
- The applicant refused to lower Block A. The relocation of the roof terrace would add new privacy and overlooking problems and would be too close to the new road.
- All of the blocks would impinge on the privacy of the occupants of neighbouring properties.
- It is requested that these blocks be omitted.

Impacts of Houses 5, 9, 12, 19, 20, 24 and 25

- The applicant has ignored the Council's recommendation to provide smaller, mews-type dwellings in place of Houses 5-8.
- Houses 9, 19 and 20 have rear gardens less than 6 metres long and do not comply with the Development Plan.
- House 12 has a rear garden depth of as little as 2.5m to the north boundary. The applicant did not take on board the Council's request to provide a smaller house.
- The applicant ignored the Council's suggestion to provide more modest house types in place of Houses 24 and 25. These houses will dominate and obscure views of the protected structures from the main road.

Impact on Trees and the Wooded Character of the Site

- Objective LHB5 of the Development plan is an objective that promotes retention of trees, hedgerow and woodlands where practical. The removal of many of the trees from the site seriously conflicts with the objective.
- Emphasis is placed on the impact of the development and removal of trees on Florenceville and its avenue.

Context

- The proposal is not acceptable because of the impacts on protected structures, the overbearing and overlooking of apartment blocks, loss of privacy and loss of setting.
- The development is more suited to a greenfield site and comprises high density development in an unsuited location.
- There are six protected structures within and in the immediate vicinity of the site. The setting of these structures would be seriously eroded by the proposed development.
- The proposal to make the castle publicly accessible would provide public access to the entire front section of the curtilage of Florenceville, seriously reducing the occupants' privacy.

Precedent

- The Board's attention is drawn to Appeal Ref. PL 06D.236308 for a development on the opposite side of Shanganagh Road that was refused permission. The Board is asked to apply the same principles in this instance and refuse permission for the development.

6.1.2 Appeal by Trevor and Corrina Dolan

The appellants reside at "Abingdon", Shanganagh Road. The grounds of appeal may be summarised as follows:

Traffic Impact

- The access road serving the development is not fit for purpose. The proposal is premature in the absence of design details for road improvements.
- Additional car parking at further information stage has further eroded the minimal public open space and their form pose risks to children. Concerns are raised about the layout of spaces serving houses on the north of the site and to the size of basement car parking.

Heritage

- The impact on the castle by the foundation for Block B would be out of line with Development Plan policies.
- The development erodes the castle's setting and undermines its historical setting. The impact of Block D is unacceptable and its adjustment at further information stage obscures the view from the entrance to the site.

Protected Structures

- The juxtaposition of Blocks A and C does not afford an adequate level of protection for the protected structures. Having regard to the effects of the apartment block elements on adjoining properties, Blocks A, B, C and D require to be significantly reduced in height or omitted.

Loss of Amenity

- The apartment blocks would remove amenities currently enjoyed by residents of the area, would create unacceptable levels of overlooking and potential loss of amenity by noise.

Design

- The proposal constitutes overdevelopment. The apartment blocks are incongruous, and many elements are too close to site boundaries. Articulation and finishes to blocks increase perceived bulk.
- Houses 12-14, with short garden lengths, should be omitted. Concerns raised by the Council were not addressed and particular concern is raised in relation to proximity to adjoining properties and inadequacy of garden areas in relation to houses 5-9, 12, 19 and 20. It is also requested that houses 24 and 25 be reduced in size or omitted due to impacts on adjacent protected structures.

Removal of Trees

- The proposal to remove the vast majority of trees and hedgerow is totally at odds with Development Plan policy.

Open Space

- Public open space is deficient in quantity and quality. The area in the south-east corner is to be allocated to road use. Other areas are of limited amenity value. Class 1 open space has not been provided.
- The quantity, orientation and configuration of private open spaces for houses are problematic and inadequate.

Density

- The site merits Special Character Area status and the density should be minimised.

Precedent

- Reference is made to two decisions in the vicinity, P.A. Refs. D09A/0887 and D14A/0348, which raise issues relevant to the proposed development.

6.1.3 Appeal by David and Edna Matthews

The appellants are residents of No. 1 Broomfield Court. The grounds of appeal may be summarised as follows:

- The Shanganagh Road at this location is inadequate and extremely dangerous and would be more so with the proposed development.
- Road widening proposals need more thorough consideration at this location.
- Visitor parking is insufficient and, with the proposed pedestrian access, concerns are raised for on-street parking at Bloomfield Court.
- The apartment blocks would remove the existing amenities enjoyed by residents and would create unacceptable levels of overlooking and noise disturbance.

- The proposal constitutes overdevelopment of an historic site. The apartment blocks are incongruous in their context, Block D undermines the castle setting and the bulk and height of the blocks are unacceptable.
- The proposal removes the vast majority of trees and hedgerow contrary to Development Plan provisions and will have a detrimental effect on wildlife.
- The proposal is deficient in public and private open space provision.
- The site should be protected from overdevelopment by minimising permitted densities.

6.1.4 ***Appeal by Michael and Claire Liuzzi***

The appellants reside at Ranville Lodge adjoining the north-east of the site. The grounds of appeal may be synthesised as follows:

- Units 13-18 would severely affect Ranville Lodge by way of obtrusiveness and overlooking and they would affect daylight to the rear garden.
- Unit 21 would be extremely intrusive.
- No shadow analysis has been undertaken to demonstrate impacts on Ranville Lodge.
- The height of the two-storey houses are excessive.
- The further information submitted did not address the issues raised by the planning authority in relation to Houses 13 and 14.
- Units 13-18 and Unit 21 are located too close to the boundary with Ranville Lodge.

6.1.5 ***Appeal by Broomhall Management Company***

The appellant objects to the five storey blocks as they are considered to be out of keeping with the area and would be an invasion of privacy of Broomfield Hall.

6.2. **Applicant Response**

The response to the appeals may be synthesised as follows:

Traffic Impact

- Reference is made to the response to the planning authority's further information request by the applicant's traffic consultants, the Planner's report, the views of the Transportation Engineer, and to a supporting report by the Consulting Engineers with the response submission.
- The traffic volume can be comfortably accommodated by the existing road network, generating an increase of only 3% of the peak hour traffic volume.
- Significant measures to reduce the impact ahead of the Shanganagh Road Improvement Scheme are proposed. Public lighting, improved footpath and safe crossing facilities are also provided.
- Condition 15 of the planning authority's decision ensures the improvement scheme can be implemented.
- Car parking is in excess of Development Plan requirements.

Community Facilities

- The proposal is well located with regard to primary school provision and is close to DART and bus services. Furthermore, the additional demand for school places arising would not be excessive as a result of the scheme.
- The site is within 10km of eight secondary schools and is well linked by public transport. The trip generation caused by trips to secondary schools would not be excessive.

Impact of Apartments on Neighbouring Residents

- To provide a sustainable density of residential development on the site, it is necessary to provide a mix of apartments and housing. The proposal achieves a suitable balance.

Block D

- The revised building position increases the separation distance from the site boundary and allows for an improved buffer zone of screen planting. The west elevation was revised to avoid direct overlooking of Florenceville and minimum separation distance from this house has been increased to 18.4

metres. There is no material difference in site levels and the proposals will ensure protection of the protected structure from adverse visual impacts.

- The shadow analysis undertaken shows there will be no increased overshadowing on Florenceville.
- A view to Shanganagh Castle from the site entrance is still retained.
- The space between Block D and the site boundary is sufficient to accommodate the tree species proposed and roots would be confined through the development of a constructed tree pit.

Block A

- The scheme accords with the Building Height Strategy.
- The elevational treatment ameliorates any risk of visual incongruity.
- Revisions at further information stage address overbearing concerns, provide additional private open space, and reduce the impact on the surrounding area and on the nearby protected structures.

Block B

- The setback of both Blocks A and B from the road and adjacent properties reduces the visual impact and dominance of the proposal on the streetscape. The block provides for urban design benefits, ensures an appropriate density of development and has regard to heritage, landscape and archaeological constraints on the site.

Block C

- This block is designed to provide adequate separation to existing residential dwellings. The block is 23m from No. 5 Bloomfield Court and this is considered suitable to protect residential amenity.

Loss of Trees

- The site layout has carefully considered the retention of existing trees as one of the key design objectives. The proposal has prioritised the retention of as many existing trees as possible.

- The proposal includes a replanting scheme as mitigation and roads and parking locations were amended to ensure minimum impact.
- The detailed information in the Tree Survey allows for an informed and reasoned decision on the retention and removal of trees.

Impacts of Proposed Houses

Florenceville

- The increased setback of Block D reduces the impact of overbearing on this house and ensure adverse impacts on residential amenity are avoided. Revisions to the west elevation were revised to avoid overlooking. The shadow diagrams indicate overshadowing will not increase, given the presence of mature trees.

Broomfield Court

- Blocks B and C are designed to provide adequate separation distances to existing residential dwellings. The existing access road is located between the new blocks and existing units. Any increase in noise will be negligible. The development will not result in an exceptional volume of motorised traffic.

Ranville Lodge

- Significant measures have been undertaken to reduce the level of overlooking onto Ranville Lodge, including increased separation distances, enlarged private rear gardens for Nos. 12-14, revised layout and window changes.
- Shadow diagrams show overshadowing will not increase over the existing situation.
- No. 21 was revised to avoid overlooking of Ranville Lodge and separation distances of 11m and 13.5m from the front of the house adequately address overlooking concerns.

The Paddocks

- The concerns of Nos. 5-8 were addressed at the further information stage.

Inappropriate Scale, Massing and Siting

- A balance has been achieved between retaining and protecting existing site features and delivering a suitable form of new development at an appropriate and viable density.
- Other successful schemes provide a useful precedent.
- Appropriate measures, including use of setbacks and landscaping, mitigate adverse visual impact of the apartment blocks. Careful consideration has been given to the design and finishes.

Respecting the Protected Structures and National Monument

- The Conservation Officer raised no further concerns in relation to Block A following revisions.
- Block C will not be visually overbearing on the protected structures and materials were revised.
- Measures have been taken to reduce impact on Florenceville.
- With regard to impact on the castle, the layout has been well considered and sensitively designed to complement and integrate with the historic structures and landscape. The revised proposals reduce the scale and height of the buildings to address overbearing and visual impacts.
- The development results in an overall enhancement and planning gain and provides for the ongoing use of the protected structures.

Inconsistency with Development Plan Standards

House Design

- Garden sizes meet and exceed Development Plan requirements.
- Houses 9, 12, 19 and 20 have been designed to avoid direct overlooking of other residential properties from first floor level. This allows for a reduced garden depth to be accommodated. The imaginative layout ensures higher residential density can be achieved. Reference is made to other developments that received permission.

- In relation to Nos. 13-18, an alteration to a 3 bed house would have minimal additional benefits in terms of reducing the footprint of these houses.

Car parking

- Proposed basement parking spaces are in accordance with Development Plan standards.

Open Space

- 29% of the site area is to be Class 2 open space, exceeding Development Plan requirements.
- It is not possible to provide class 1 space on the site.
- Notwithstanding the provision of additional parking, provision of open space remains in accordance with requirements.

Supporting documentation with the response includes an engineering report, a shadow analysis, and landscape architecture and conservation reports.

6.3. Planning Authority Response

The planning authority consider the grounds of appeal do not raise any matter which would justify a change in attitude to the proposal.

6.4. Observations

6.4.1 Observation by Emma Fitzgerald

The observer, residing at Abington Lodge, Shanganagh Road, raises concerns relating to the excessive height of the proposed apartment blocks, overlooking of her property and intrusion by way of noise, and the traffic impact on a deficient road.

6.4.2 Observation by Cormac Fitzgerald

The observer, residing at Abington Lodge, repeats the concerns raised above.

6.4.3 *Observation by The Medieval Bray Project*

The observer raises concerns about the detrimental effect the proposal would have on the existing archaeological complex at this location, including Shanganagh Castle.

6.4.4 *Observation by An Taisce*

The observer considers the revised setback of the penthouse in Block A does not mitigate the impact the height of the block would have on the adjoining protected structure, that the revised setback for Block D does not alleviate the planning authority's concerns regarding the impact on Florenceville, and the revisions to Houses 24 and 25 do not alleviate the impact on the protected structures. It is requested that regard should be given to the relationship between surrounding structures and the protected structures. Concerns are also raised that the proposal is premature pending road improvements.

6.4.5 *Observation by Shankill Tidy Towns*

The observer raises concerns about impacts on mature trees, the presentation of development along Shanganagh Road and impacts on the castle. It is requested that the preservation orders for the houses on the site should be maintained.

6.4.6 *Observation by Rathmichael Historical Society*

The observer submits that the proposed development is insensitive to the historical character and setting of Shanganagh Castle and to the protected structures on and in the vicinity of the site, including the medieval mill site to the north. Particular emphasis is placed on the impact of Block D and the Board is asked to refuse the development.

6.5. **Further Responses**

Responses to the applicant's response to the appeals were submitted by Faye and Vincent Drouillard, Michael and Claire Liuzzi, Cormac and Emma Fitzgerald,

Bloomfield Hall Management Company, David and Edna Matthews, and the planning authority. The planning authority considered there were no matters raised that merited a change of attitude to the proposal. The appellants reiterated their concerns.

Responses in support of the observations were received from Trevor and Corinna Dolan, Broomfield Hall Management Company Ltd., and David and Edna Matthews. The planning authority submitted that the proposed development represents a quality housing opportunity at a location close to existing services and amenities as well as public transport services. Reference was also made to detailed considerations given to the scheme.

The applicant responded to the observations. It was considered the proposed scheme has been designed to a high standard and that it will not have adverse impacts on the protected structures and monument on the site or their setting. It was further considered that appropriate measures have been incorporated to reduce the level of impact on neighbouring properties. Reports from the applicant's Consultant Archaeologist and Landscape Architect supported the response submission.

7.0 Assessment

7.1 Introduction

7.1.1 The appellants and third parties raise a wide range of concerns relating to the proposed development. It is noted, however, in the first instance that there is no objection in principle to the restoration works associated with Shanganagh Castle, to the conversion of the two protected structures to use as four dwellings, to the demolition of their associated outbuildings, and to the demolition of Barn Close Lodge. It is proposed to consider the issues raised under the following headings:

Principle of the Proposed Development

Density of Proposed Development

Public Open Space Provision

Private Open Space Provision

Traffic Impact and Road Widening

Impact of the Apartment Blocks

Impact of Proposed Housing

Loss of trees

Availability of Community Facilities

The assessment will also consider the issue of Appropriate Assessment.

7.2 The Principle of the Proposed Development

7.2.1 The site of the proposed development is zoned 'A' with the objective "To protect and/or improve residential amenity" in the current Dún Laoghaire-Rathdown County Development Plan. This zoning provision clearly provides for the development of this land for housing. The proposed development of housing is in keeping with this provision.

7.3 Density of Development

7.3.1 The proposal seeks to provide a density of 61 housing units on a site area of approximately 1.5 hectares. The policy of the planning authority, in accordance with Policy RES3 of the Development Plan, is 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. The plan also states that, where a site is located within circa 1 kilometre pedestrian catchment of a rail station, Luas line, BRT, Priority1 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. It is further acknowledged that, in some circumstances, higher residential development may be constrained by Protected Structures. It is also espoused that, to enhance and protect Records of Monuments and Places and Protected Structures and their settings, new residential development will be required to minimise any adverse effect in terms of height, scale and massing.

7.3.2 I first note that the proposed site lies well within the 1km distance from Shankill Dart station and that the area is well served by Dublin Bus. It is evident from the number of units proposed that the density of development would be well below the minimum

number of units per hectare to be encouraged in such locations. It is considered reasonable that, due to constraints associated with the protected structures and the Recorded Monument being on this site, these structures would likely impinge on meeting minimum density requirements. I am of the opinion that the density of development is appropriate on balance and that prohibiting the development due to the low density of development being pursued would not be warranted. Matters pertaining to impact on structures of conservation value will be addressed further in this assessment.

7.4 Public Open Space Provision

7.4.1 I note appellants' concerns about the need to make provision for Class 1 public open space to serve the development. I note that the scheme provides Class 2 open space and that it is not perceived that the form, scale, layout and character of this space is in any way deficient.

7.4.2 I note Policy OSR3 of the Development Plan, which is to provide a hierarchy of quality parks and public open spaces to serve community needs. The proposed development constitutes a small housing scheme on 1.5 hectares. Having regard to the proposed density of development on the site, the proposed development is required to meet the needs of its occupants and this will be provided for in the range of public open spaces proposed within the confines of the site. It is acknowledged that the intention is to facilitate public access to Shanganagh Castle and this would constitute an enhancement of public amenity space given over to the wider community. The development of any further larger scale open spaces is not required in this instance.

7.5 Private Open Space Provision

7.5.1 I note the provision of terraces and balconies associated with each of the units in the proposed apartment blocks. The provision of public open spaces in the immediate vicinity of these blocks is also acknowledged. Each of the proposed four houses resulting from the conversion of the two protected structures would have defined and enclosed private rear gardens. The provision of these spaces are in accordance with development plan requirements.

7.5.2 With regard to the other housing units, it is noted that the individual private open space provisions meet with minimum development plan area requirements. It is acknowledged that in several instances such spaces do not provide wholly enclosed rear garden spaces away from general public view, such as 'House Types 3' located immediately to the south of Ranville Lodge. House No. 8 at the western end of the site would have a side garden and Houses 24 and 25 adjoining Shanganagh Road would be provided with courtyard gardens to the front. There are shallow depths in many of the gardens, notably Houses 13 and 14 to the west of Ranville Lodge and House No. 6 east of "The Paddocks". In providing for the density of development proposed and a suitable mix of dwelling types, while seeking to address limitations associated with protected structures, I acknowledge that the private open spaces necessitate a variation in design provision. The constraints placed on garden depths and configurations, as well as the conversions of the protected structures with redefined private spaces, will necessitate careful management of development within their curtilages. Such development in the form of extensions to houses and the construction of sheds, stores or similar structures will require to be subject to planning permission, with occupiers being prohibited from availing of the relevant exempted development provisions in order to ensure the amenities of adjoining residents can be adequately protected.

7.6 Traffic Impact and Road Widening

7.6.1 The proposed development comprises a small housing scheme in an urban area. It is intended to provide a single vehicular access point onto Shanganagh Road to the east. The applicant has estimated that the traffic generated by the proposed development would result in an increase of 3% of the peak hour traffic volume. There has been no information provided to refute this estimated increase in traffic onto the regional road. It is considered that the regional road can adequately cater for this increase. There is no indication that this road is deficient in terms of capacity to facilitate the new development.

7.6.2 Concerns have been raised by third parties and observers in relation to the proposed provision of car parking. The applicant addressed the deficient numbers of parking spaces in the response to the planning authority's further information request. The

provision of spaces is in accordance with the standards set out in the current Dún Laoghaire-Rathdown County Development Plan. It is reasonable to assume that the planning authority, in applying these standards at this location, foresee no difficulties arising from on-street parking beyond the site boundaries.

7.6.3 I note the applicant has made provision for pedestrian crossings of the road network and for footpath connectivity to established footpath networks in the vicinity. These are considered appropriate and suitably located to facilitate pedestrian movement in the vicinity of the site.

7.6.4 A number of concerns have been raised by third parties and observers in relation to the provisions for road widening as part of the housing scheme. There is a specific six-year roads objective applying to this section of Shanganagh Road in the current Dún Laoghaire-Rathdown County Development Plan. The proposed alignment clearly impinges on the east side of the appeal site. I acknowledge that no detailed plans are available on the intended road improvement works. However, it is clear that the setting back of the roadside boundary wall as proposed is wholly in keeping with the provisions of the Development Plan and the objective to improve the horizontal alignment deficiencies at this location. The proposed boundary wall setback could not, in itself, be regarded as being premature development. Furthermore, it is noted that the proposed siting of apartment blocks and housing units would not impinge on the intended land-take associated with the road improvements. The setting back of the boundary wall would be a first step in addressing the deficiencies of the road at this location and the proposed works as part of this housing scheme would provide necessary improvements in sightlines to accommodate safe movement of vehicles into and out of the site. As alluded to earlier, it would also facilitate the improvement of the pedestrian provisions at this location.

7.7 Impact of the Apartment Blocks

7.7.1 Block A would be a four-storey over basement car park block containing 10 apartments. It would be sited to the north of Block B, immediately east of the proposed Shanganagh Road realignment, and some 15 metres at its nearest point to Barn Close. It would front onto a main public open space to the west. There are no

established dwellings directly on the opposite side of the regional road. It is considered that this block, having regard to the context in which it would be set, would not have any significant adverse impact on established residential amenities and it would not result in any significant adverse visual impact on the streetscape. The modern design and range of finishes, in a location where a wide range of house types and apartment types prevail, could not be perceived as being incongruous with the evolving pattern of residential development in this area.

7.7.2 Block B would be the most prominent apartment block when the development would be viewed from the public realm. It would constitute a relatively prominent structure on the southern edge of the site adjoining the junction with Broomfield Court. Comprising a five-storey over basement car park block containing 14 apartments, it would introduce the highest residential block in the immediate vicinity. It is acknowledged that Broomfield Court lies immediately to the south-west, and while an established dormer over two-storey block (effectively three-storeys in height), this introduces an increased scale, density and footprint of development that should reasonably allow for an increased scale of development at this prominent location on the appeal site. In seeking to permit a reasonable density and pattern of residential development on this site, Block B will be understood in a context where apartment blocks would be located to the south-west (Broomfield Court), to the immediate north (Block A), and to the north-west (Block C). It is not reasonable to consider the impact of Block B in isolation. In this context, it is considered that the form, scale and layout of Block B is acceptable. Finally, I note the block would be located close to a road junction and would be sited across the road from Broomfield Court. I do not consider there are any significant issues arising from impacts on established residential amenities by way of overlooking, overbearing impact or overshadowing.

7.7.3 Block C is a small three-storey block containing six apartments immediately east of the estate road of Broomfield Court and set behind the site's boundary wall. This is a block that would adjoin an expansive area of public open space within the site. It would be sited on the opposite side of Broomfield Court, some 24 metres or more from the front of established two-storey houses. It is considered that the siting, design and character of this block would not be out of character with the pattern of development that exists and that would result from the new development. It is further considered that the siting and significant separation distances would ensure that

there would not likely be any significant adverse impact on the amenities of residents on Broomfield Court.

7.7.4 Block D is a small three-storey block containing six apartments. It is proposed to be located in a particularly sensitive location, immediately east of Shanganagh Castle and south-east of the protected structure “Florenceville”. The small scale of the proposed block can be understood when reviewing its footprint relative to “Florenceville” and even to some of the other residential properties in the vicinity such as “The Paddocks” to the south-west and “Ranville Lodge” to the north-east. In the context of the built environment that would result from the proposed housing to the east and south of this block, taken together with the established structures such as Florenceville and the Castle ruins, Block D could not reasonably be understood as being a prominent or overbearing structure. The applicant has sought to address its adverse impacts on Florenceville by moving the block further south and by re-addressing fenestration to avoid direct overlooking of the front of this house. Much has been made in the application submission to the gaining of a view of the Castle from the entrance to the scheme off Shanganagh Road. It is clear that the provision of Block D would obscure the visibility of the northernmost section of the Castle ruins from the entrance. A view of a section of the Castle would remain however. Albeit that Block D would be located south of the driveway to Florenceville and south-east of the front of the house itself, the revisions to the siting of this block are considered essential to protect the amenities of that property. Given the extent of tree and vegetation loss arising from the development, there will be a necessity to provide a line of trees behind the block. The quality of the approach along the driveway to Florenceville benefits from the extent of tree and vegetation cover that currently exists on the appeal site. It is reasonable that appropriate measures are taken to enhance the boundary treatment at this sensitive location. Having regard to the design measures taken, to the siting of the block south-east of Florenceville, and to the proposed additional planting along the site’s northern boundary, I consider that this block would not likely result in any significant adverse impacts on established residential amenity. In the context of development that prevails in the immediate vicinity of the established protected structure, with the understanding that the site constitutes lands zoned for residential development, and acknowledging the design measures being taken, I do not consider that the proposed development would

adversely impact on the setting of the protected structure. With regard to the impact on Shanganagh Castle, I note the submission from the Department of Arts, Heritage and the Gaeltacht. It is recommended that the recommendations of the archaeological impact assessment report be included as conditions in the event of a grant of permission and that the works to the castle be agreed with the Department. It is apparent that the Department do not have concerns about the physical impact of the construction of Block D on the Recorded Monument or the effect of the block on the setting of the Castle.

7.8 Impact of Proposed Housing

- 7.8.1 Each of the proposed houses meets development plan standards and it is, thus, accepted that the housing units would provide a satisfactory standard of accommodation for occupiers. Internal design standards, private open spaces, public open space and parking provisions for the housing are seen to comply with development plan standards.
- 7.8.2 It is acknowledged that the density of development and siting of new development around the periphery of the site would introduce a very significant change in the environment for established residents. Established residents have been able to avail of views of a densely planted, rural-like plot where two semi-detached structures are centrally located, without adverse impact. The zoning of this site for residential development must acknowledge the evolving nature of development at this location as this land is primed for new development. In providing a reasonable density of development on the site, this would invariably urbanise this site. The proposed development would do this.
- 7.8.3 The vast majority of proposed houses would not result in any adverse impact on the amenities of established residents. Reference has been made earlier to constraints associated with private open spaces of some houses, notably to the north-east and to the west of Beechlands. With regard to the former, it is understood that Ranville Lodge is located in a constrained position relative to the appeal site, between 5 and 6 metres from the party boundary to the west and between 2 and 4 metres to the south. Design measures have been taken by way of further information to address potential adverse impacts arising from proposed Houses 13 and 14, with the former

reduced significantly in height and effectively eliminating overlooking at first floor level on the rear elevation. Fenestration has been redesigned in House 14 to address potential overlooking. Such measures are considered necessary having regard to the proximity of the proposed houses and to the more elevated nature of the appeal site relative to the established residential property. There is a necessity to provide adequate boundary treatment and associated planting along the party boundary to protect the amenities of the neighbouring property. With regard to House 21 to the south of Ranville Lodge, it is considered that the siting and separation distances from the southern elevation of the established property are adequate to ensure no significant adverse impact on residential amenity would arise. Overall, it is considered that reasonable measures have been undertaken to minimise adverse impacts by way of overlooking and overbearing impacts and it is not considered that overshadowing would arise that would culminate in deteriorating circumstances for the established residents. With regard to Houses 5-8 along the western boundary, the design changes, revised footprints, and changes to proximity to the western boundary are considered necessary and are also considered to have addressed significant adverse impact on established property to the west. Once again, the design and fenestration revisions result in the potential for overlooking being adequately addressed to protect established residential amenity.

7.8.4 In conclusion, the proximity of housing to site boundaries is acknowledged in the proposed scheme. The development of an appropriate density of development on this site must be guided by the constraints of the location of the protected structures and the castle on the site. This has a direct impact on the siting of new residential development. The effect of this new development can only be considered acceptable when the amenities of adjoining residents are adequately protected. The proposed scheme has undergone significant design and locational changes to address significant impacts that would otherwise result. The housing proposals, in the context of the constraints of the site, are regarded as acceptable.

7.9 Loss of Trees

7.9.1 The site of the proposed development is subject to a specific objective "To protect and preserve Trees and Woodlands" in accordance with Map 10 of the Dún

Laoghaire-Rathdown County Development Plan, which details the zoning provisions, roads objectives and other Plan objectives at a local level. Section 8.2.8.6 of the Plan states:

“New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerow and new developments shall have regard to objectives to protect and preserve trees and woodlands as identified on the County Development Plan Maps.”

It is further stated that arboricultural assessments are required to be carried out and, where it proves necessary to remove trees to facilitate development, commensurate planting or replacement trees will be required.

- 7.9.2 The symbol indicating the tree and woodland objective on the site is shown on the Plan Map as being behind the protected structures on the site in the immediate vicinity of proposed Block C. The exact land area to which this objective applies is not known. There are extensive numbers of trees at this location. The proposed development of Block C, a play area and one of the main public open spaces would result in substantial tree and woodland removal. The applicant has provided an arboricultural assessment, proposes extensive parts of this location as open space, and makes provision for retention of a number of trees and includes additional planting at this location.
- 7.9.3 The zoning objective for the site clearly promotes the development of the land for residential purposes. The tree and woodland objective applies to the site but it is evident that the Development Plan provisions facilitate tree and woodland loss where adequate alternative provisions are being made. I acknowledge that the development to the south of the two protected structures on the site will result in a very substantial loss of trees and woodland. On balance, however, one must determine that a sustainable approach to the development of this serviced land would necessitate significant tree and shrub removal. The siting of a significant public open space at the location to the rear of the protected structures is viewed a relevant compensatory measure in the context of tree loss.

7.10 Availability of Community Facilities

7.10.1 The appellants raise concerns about the adequacy of school facilities to accommodate the children that would reside in the new housing scheme.

7.10.2 I first note that there are 61 housing units proposed for this site. I do not consider that the scheme itself, taken in the context of the extent of residential development in the Shankill area, would likely result in very significant increase in demands on education facilities in the area. I further note that there are several primary schools in the Shankill area. It is also observed that public transport is widely available in the immediate vicinity and that this provides access to an extensive range of first and second level schools within a very wide catchment. Finally, I note that there has been no concrete information provided to demonstrate that education facilities in this area cannot facilitate school-going children that would reside in this scheme. I, therefore, do not consider a refusal of permission is merited for this reason.

7.11 Appropriate Assessment Screening

7.11.1 It is acknowledged that the habitats within and adjacent to the site are not of significant conservation value and that the site is not within or adjacent to any Natura 2000 site. The nearest European sites are Rockabill to Dalkey Island SAC (Site No. 003000), which is 2.2km from the proposed site, and Dalkey Islands SPA, which is 3.9km from the site. The qualifying interest of the former are Reefs and Harbour Porpoise and of the latter are Roseate Tern, Common Tern and Arctic Tern.

7.11.2 I submit that the attenuation, treatment and disposal of foul and surface waters leaving this site would not result in any known deleterious impact on the qualifying interests of the distant coastal Natura 2000 sites. The separation distance, short-term nature, and application of common construction management provisions should ensure there would be no likelihood of any impacts on the distant conservation sites. I know of no other developments in the vicinity of this site that would give rise to any significant cumulative impacts.

7.11.3 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, the proposed

development, individually or in combination with other plans or projects would not be likely to have a significant effect on Rockabill to Dalkey Island SAC, Dalkey Islands SPA, or any other Natura 2000 site in the wider area. A Stage 2 Appropriate Assessment is, therefore, not required.

8.0 Recommendation

I recommend that permission is granted in accordance with the following reasons and considerations and subject to the stated conditions.

9.0 Reasons and Considerations

Having regard to the zoning provisions for the site as set out in the current Dún Laoghaire-Rathdown County Development Plan and to the design, character and layout of the development proposed, it is considered that the proposed development would not adversely impact on the archaeological significance of Shanganagh Castle or adversely affect the character and setting of the protected structures of Barn Close and Beechlands on the site and the adjoining protected structure of Florenceville, would not adversely impact on the residential amenities of adjoining properties, would be acceptable in terms of visual impact, would not endanger public safety by reason of traffic hazard and would otherwise be in accordance with the provisions of the current Dún Laoghaire-Rathdown County Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 drawings and details submitted to the planning authority on the 10th October, 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 development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed residential units.

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

Reason: In the interest of visual amenity

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of any house, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwellings.

5. Prior to the commencement of development, the following shall be submitted to, and agreed in writing, with the planning authority:
- (a) the measures relating to the proposed Shanganagh Road Improvement Scheme, to include the boundary setback along the eastern site frontage, the provision of a public footpath and pedestrian crossing facilities, and the treatment of the area between the existing road carriageway edge and the setback roadside front boundary;
 - (b) an updated Stage 2 independent Quality Audit in accordance with the Design Manual for Urban Roads and Streets (DMURS);
 - (c) the provision of a public lighting design scheme;
 - (d) details to provide unimpeded public access between the Shanganagh Road access and Shanganagh Castle; and
 - (e) landscape treatment and access arrangements for the basement car park.

Reason: In the interest of traffic safety.

6. The site shall be landscaped in accordance with the submitted landscaping scheme and trees to be retained shall be protected in accordance with the submitted tree protection measures. The following details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:
- (a) provisions relating to the management and monitoring of the development by an arboricultural consultant and landscape consultant during the construction phase;
 - (b) a tree protection plan;
 - (c) the provision of a tree bond to secure the protection during construction of trees to be retained, the form and amount of which 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.;

- (d) proposals for all boundary treatment interventions and proposed boundary finishes; and
- (e) proposals relating to the maintenance of open plan front gardens and amenity spaces.

Reason: In the interest of residential and visual amenity.

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

The assessment shall address the following issues:

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

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

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

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

8. All repair works to Shanganagh Castle shall be carried out in accordance with best conservation practice and the works shall be subject to the written agreement of the planning authority and the Department of Arts, Heritage, Regional, Rural Gaeltacht Affairs.

Reason: To ensure that the integrity of the retained structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

9. All works to the protected structures shall be carried out under the supervision of a qualified professional with specialised conservation expertise. The developer shall comply with the requirements of the planning authority in relation to the external render finish to the protected structures on the site and the provision of en-suites therein.

Reason: In order to ensure an appropriate standard of restoration works for the protected structures.

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

Reason: In the interest of public health.

11. 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.

12. 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.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

13. 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 by the local authority of roads, footpaths, watermains, drains, public 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 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 referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

14. 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.

Kevin Moore
Senior Planning Inspector

2nd May 2017