



An
Bord
Pleanála

Inspector's Report PL06D.248263

Development	Demolition of existing house and the construction of 2 houses with all associated site works.
Location	'Ferndale', Avoca Avenue, Blackrock, Co. Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D17A/0005
Applicant(s)	Lisa Murray
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third-v-Grant
Appellant(s).	(1) Dan & Rosamond Morrissey (2) Sorcha Dothery
Date of Site Inspection	27 th June 2017/04 th July 2017
Inspector	Colin McBride

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 0.2127 hectares, is located to the south west of Blackrock and north east of Stillorgan on the northern side of Avoca Avenue. The site is occupied by a detached single-storey dwelling with a sizeable curtilage. To the east of the site and also along Avoca Avenue is a two-storey detached dwelling, 'Redwood' (protected structure), which has outbuildings (coach house and associate structures) located immediately adjacent the eastern boundary of the site. To the west and also along Avoca Avenue is a two-storey detached dwelling, 'Rockley'. There is a block of 4 no. two-storey, terraced dwellings within the Marino Park housing development backing onto the western boundary (rear garden). To the north of the site is Hyde Park Avenue a housing development consisting of two-storey semi-detached dwellings. Immediately north of the site is no. 45 which share a side boundary with the site as well as the end of the service road for the housing development. No. 35 Hyde Park Avenue, which is opposite no. 45 is located to the north west of the site. Existing boundary treatment on site consists of a stone wall with existing trees and hedgerow behind it along the roadside/southern boundary, existing mature hedgerow along the eastern and western boundaries forward of the building line of the existing dwelling, existing hedgerow along the western boundary to the rear of existing dwelling, a block wall (over 2m high) to the north of the site and wooden fencing (approximately 2m high) along the eastern boundary of the site, to the rear of the existing dwelling. The existing stone outbuildings within the curtilage of 'Redwood' do form part of the boundary of the site.

2.0 Proposed Development

2.1. Permission is sought for the demolition of an existing dwelling and the subdivision of the site to provide 1 no. two-storey five bedroom detached dwelling (347sqm) to the front of the site and 1 no. two-storey over basement detached dwelling (462sqm) to the rear of the site. The development also includes the use of the existing entrance onto Avoca Avenue and the provision of a driveway to run along the western boundary to give access to both dwellings.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 11 conditions. Of note are the following conditions.

Condition no. 2: Window serving ensuite at first floor level of house no. 2 to be fitted with obscure glazing.

3.2. Local Authority and External reports

3.2.1. Waste enforcement (18/01/17): Conditions in the event of a grant of permission.

3.2.2. Drainage Planning (19/01/17): No objection.

3.2.3. Irish Water (01/02/17): No objection.

3.2.4. Transportation Planning (21/02/17): No objection subject to conditions.

3.2.5. Planning Report (01/03/17): The demolition of the existing dwelling was considered acceptable. The proposal was considered acceptable in regards to development control standards, visual impact, architectural heritage and adjoining amenities. The proposal was also considered acceptable in regards to traffic impact. A grant of permission was recommended subject to the conditions outlined above.

4.0 Planning History

4.1 No planning history on the appeal site.

4.2 PL06D.201744: Permission granted to convert a coach house and attached outbuildings to a self-contained dwelling. 'Redwood' (Protected Structure), Avoca Avenue, Blackrock, Co Dublin.

4.3 PL06D.216482: Permission granted for a house to the rear of Donmar Lodge, Avoca Avenue, Blackrock, Co. Dublin.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development 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'.

5.1.2 Policy RES 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 Adaptation Framework - Building Resilience to Climate Change' (DoECLG, 2013).

5.1.3 Policy RES4: It is Council policy to improve and conserve housing stock of the County, to densify existing built-up areas, having due regard to the amenities of

existing established residential communities and to retain and improve residential amenities in established residential communities.

6.0 The Appeal

6.1 Grounds of appeal

6.1.1 A third party appeal has been lodged by IMG Planning on behalf of Dan & Rosamond Morrissey, 'Redwood', Avoca Avenue, Blackrock, Co. Dublin. The grounds of appeal are as follows...

- The proposal would be contrary the zoning objective of the site and Policy RES4 as it would be injurious to the appellants' residential amenity. The proposal does not comply with Development Plan policy regarding residential development or infill development or policy in regards to retention of existing trees and hedgerow.
- The proposal would have an adverse impact on the character and setting of a protected structure and would be out of character with existing development at this location.
- The appellants raise concerns regard impact of the proposed development due to height, scale and proximity to the western boundary on the appellants' property. Concerns raised include overlooking, overshadowing and the potential for works to the basement of house no. 2 and proximity of house no. 1 to existing outbuildings to impact on structural stability.

6.1.2 A third party appeal has been lodged by Sorcha Dothery, no. 36 Hyde Park Avenue, Blackrock, Co. Dublin.

- The appellant's dwelling is to the north west of the site. The appellant notes that house no. 2 would overlook her property and the scale of the proposal would be detrimental to the residential amenities of adjoining properties.

- The appellant is critical of the bulk of the proposed dwelling and the fact that the proposal entails removal of trees with inadequate screening to replace such.
- The construction of the proposal would cause significant disturbance in regards to noise and air pollution.
- The appellant notes discrepancies in the application documents.
- The appellant notes the loss of existing mature trees would be detrimental to the appellant's visual amenity.
- The appellant questions whether the proposal respects physical character of existing properties in the area and represents a significant intensity of development on site.
- The proposal is closer to the boundary with the appellant's property than existing development on site and would have an adverse impact.
- The appellant disagrees with the Planning Authority's assessment of the proposal in terms of the appropriateness of the intensity of development, the suitability of the width of the vehicular access and the replacement of existing mature trees on site.

6.2 Responses

6.2.1 Response by Thornton O'Connor Town Planning on behalf of the applicant Lisa Murray.

- It is noted that the proposed development would not be out of scale or character at this location with a number computer generated images submitted to aid demonstration of this point.
- The proposal would not result in an unacceptable level of overshadowing of the appellants' property (Redwood) with a study submitted to demonstrate this fact.
- The proposed would not result in overlooking of the adjoining property.

- It is noted that the proposal is consistent with Development Plan policy in regards to infill development and residential density.
- The proposal would have no adverse impact on the setting or character of a protected structure with a conservation assessment submitted that that demonstrates such.
- In regards to loss of trees, it is noted that the proposal has been designed to incorporate as far as practicable, as many existing trees as possible. It is noted that it is proposed to provide significant additional planting as well retention of existing screen planting.
- It is noted that works proposed are not extensive in nature and the construction period will be of short duration and should be carried out in accordance with any conditions imposed.
- The applicant notes that computer generated images have been provided with the response, but note that the Planning Authority were able to assess the impact without such.

6.2.2 Response by Dun Laoghaire Rathdown County Council.

- The Planning Authority note that the grounds of appeal do not raise any new matter that would justify a change in attitude to the proposed development.

6.2.3 Responses by Thornton O'Connor Town Planning on behalf of the applicant, Lisa Murray.

- It is noted that the proposed development would not be out of scale or character at this location with a number computer generated images submitted to aid demonstration of this point.

- The proposal would not result in an unacceptable level of overshadowing of the appellants' property (Redwood) with a study submitted to demonstrate this fact.
- The proposed would not result in overlooking of the adjoining property.
- It is noted that the proposal is consistent with Development Plan policy in regards to infill development and residential density.
- The proposal would have no adverse impact on the setting or character of a protected structure with a conservation assessment submitted that that demonstrates such.
- In regards to loss of trees, it is noted that the proposal has been designed to incorporated as far as practicable, as many existing trees as possible. It is noted that it proposed to provide significant additional planting as well retention of existing screen planting.
- It is noted that works proposed are not extensive in nature and the construction period will be of short duration and should be carried out I accordance with any condition imposed.
- The applicant note that computer generated images have been provided with the response, but not that the Planning Authority were able to assess the impact without such.

6.2.4 Reponses by the IMG Planning on behalf of Dan & Rosamond Morrissey, 'Redwood', Avoca Avenue, Blackrock, Co. Dublin.

- The appellants reiterate concerns regarding the scale of the proposed development adjoining their property noting that the existing planting is insufficient to protect residential amenity, there is a lack of proposed landscaping in the development to address such and the fact that the proposal would overshadow the courtyard area associated with the outbuilding on the adjoining site.

- The appellants reiterate concerns regarding overlooking in particular from the first floor master bedroom on House no. 2 due to its proximity and the lack of mature planting to prevent overlooking.
- The appellants reiterate that the proposal is contrary to the Development Plan zoning objective and policies in regards to residential development (RES3 and RES4).
- The appellants do not accept that the permission granted for a dwelling to the rear of Donmar Lodge represents a precedent for granting permission in this case. The appellants note that the proposal does not respect the building line of the existing dwelling on site or that on adjoining sites.
- The appellants refer to a condition applied to the grant of permission for conversion of the outbuildings noting it cannot be subdivided from the main dwelling on site.
- The appellants have submitted a report in response to the report relating to overshadowing. This report disagrees with the assessment and conclusion of the applicant's report and concludes that the principal amenity area of the appellants' property is negatively impacted to a significant degree during the periods that the occupants are likely to derive the most amenity from it.
- The appellants reiterate concerns regarding impact on a protected structure and note that 'Redwood' had a larger curtilage in the past and the introduction of new development within its curtilage would impact adversely on its character and setting. It is noted that the proximity of house no. 1 to an existing hedge within 'Redwood' raises concern regarding impact on root structure and its proximity to the boundary with 'Redwood' would impact adversely on the character and setting of the existing dwelling.

6.2.5 Response by Sorcha Dothery, 36 Hyde Park Avenue, Blackrock, Co. Dublin.

- The appellant reiterates concern regarding impact on her residential amenities through overlooking and overshadowing.

- The appellant notes that response by the applicant does not refer to impact on the appellant's property.
- It is noted that no planting is proposed to the north west boundary overlooking no. 36 Hyde Park Avenue.
- The response fails to address concern about the loss of a mature trees on site and in terms of the impact such would have on the appellant's property.
- The appellant agrees with conditions regarding construction impact.
- The appellant notes the response does not deal with concerns that the proposal is an excessive intensification of development.
- The proposal should be curtailed to a lower density development and no basement should be permitted in house no. 2.

6.3 Submissions

6.3.1 Submission were received from...

Francis Hackett, 14 Booterstown Avenue, Booterstown, Co. Dublin.

Eoin O'Buachalla, 16 Marino Park, Blackrock, Co. Dublin.

Dan & Rosamond Morrissey, 'Redwood', Avoca Avenue, Blackrock, Co. Dublin.

Sorcha Dothery, 36 Hyde Park Avenue, Blackrock, Co. Dublin.

- The issues raised include inappropriate design and scale, overlooking/overshadowing, loss of trees on site, impact on a protected structure, structural impact, disturbance caused by construction.

7.0 Assessment

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

Principle of the proposed development

Development control objectives

Design, scale, layout, visual/adjoining amenity

Traffic impact

Other Issues

7.2 Principle of the proposed development:

7.2.1 The proposal is for demolition of an existing dwelling and construction of 2 no. two-storey detached dwellings. The appeal site is located in an established residential area and the proposal is for development that is consistent with the established use and permitted development under the Objective 'A' zoning. In addition, the proposal seeks to provide for an increased density of development in a zoned and serviced urban area and such would be consistent with Policy RES 3 of the County Development Plan.

7.2.2 The proposal entails demolition of an existing single-storey dwelling. The structure in question is not a protected structure or one of any significant architectural merit or architectural heritage value. I would consider that the principle of its demolition is acceptable subject to its replacement with development of appropriate scale, form, layout with adequate regard to adjoining amenities and the development control objectives under the County Development Plan.

7.3 Development control objectives:

7.3.1 The proposal entails demolition of an existing single-storey dwelling on site and subdivision of the site to provide two separate dwellings. House no. 1 is to be located to front of the site and on the same building line as existing dwellings to the east and west, whereas house no. 2 is located to the rear of the site. The existing vehicular access is to be used with a driveway located along the western boundary of the site facilitating access to both dwellings. In regards to development control objectives both dwellings have private amenity space and off-street car parking. Under Development Plan policy both dwellings would be required to have at least 75sqm of private amenity space. Both dwellings (House no. 1, 165sqm and House no. 2, 302sqm) have way in excess of the minimum required standard. In regards to off-street car parking, the requirement is two spaces per dwelling. In case of both dwellings this standard is met.

7.4 Design, scale, layout, visual/adjoining amenity:

7.4.1 The appeal submission raises a number concerns regarding the proposal with the main concerns that the proposal is out of character and scale at this location (including impact on the character and setting of a protected structure) and would be detrimental to the residential amenities of adjoining properties through overshadowing and overlooking. Firstly, in regards to visual amenities of the area, the proposal provides for 2 no. two-storey dwellings replacing the existing single-storey dwelling on site. The layout of the development on site will mean that House no. 1 will be the most visible in the surrounding area. House no.1 is a two-storey dwelling with a shallow pitched roof profile and a ridge height of 6.9m. In terms of overall scale and design, house no. 2 would not be out of character or scale with existing dwellings along Avoca Avenue, which is characterised by large detached dwellings. House no. 1 is not significant different in scale to the detached dwelling to the west (Rockley) and is significantly smaller than the dwelling to the east (Redwood). The proposed dwelling conforms to the established building line and is well spaced from the adjoining dwellings when viewed from Avoca Avenue. In addition, I would note that existing boundary treatment along the road frontage of the site (to be retained) is such that the proposed dwelling would not be highly visible due to existing mature vegetation. I am satisfied that the proposal when viewed from public realm/Avoca Avenue would have no significant or adverse impact on the

visual amenities of the area or on the character of the streetscape. The appellants whose property is 'Redwood' note that the proposal would have adverse impact on the character and setting of their dwelling, which is a protected structure. As noted above the scale and layout of House no. 1 site well in terms the existing streetscape and has adequate regard to the visual amenities of the area including the character and setting of the adjoining protected structure.

7.4.2 The proposal also entails a second house on the rear portion of the site and although the character and layout of existing properties along Avoca Avenue is for dwellings fronting onto the road with large rear gardens, the size of the site lends itself a denser and comprehensive level of development. In terms of overall visual impact, House no. 2 would be barely perceptible from the public realm/public road, due to its location to the rear of House 1 as well as the fact that the front boundary treatment (to be retained) provides a good degree of screening. As in the case of House 1, I would consider that House no. 2, which is similar in design, scale and height to House 1, would have no significant or adverse impact on the visual amenities of the area. As in the case of House 1, it would also have no significant or adverse impact on the character or setting of the adjoining protected structure.

7.4.3 The appeal submission raises concerns regarding the relationship of the proposed dwellings with existing adjoining dwellings and concerns regarding the physical impact of the dwellings. In the case of House no. 1, the proposal is for a two-storey dwelling, which would not be out of character and scale with existing dwellings at this location. The dwelling conforms to the established building line and the main orientation of windows is north south as per the predominant pattern of development. Immediately to the east are outbuildings associated (part two-storey part single-storey) with 'Redwood' that are tight to the eastern boundary of the site. House 1 is set back from the western boundary and the existing dwelling on the adjoining site (Rockley) with the proposed driveway running to the west of the site. I would be satisfied there is an adequate level of separation from the adjoining dwellings and is off a scale that would have no significant or adverse impact on the amenities of adjoining properties. There are no first floor windows on the eastern elevation, while the level of windows at first floor level on the western elevation is not excessive and

with an adequate degree of separation from the boundary with the adjoining dwelling (Rockley).

7.4.4 The appellants' raise concern about the impact of house 1 in relation a courtyard located between the western elevation of their dwelling and the outbuildings adjacent the boundary of the appeal site. The concern is the fact the proposed dwelling is higher in ridge height than the outbuildings and would cause overshadowing of the courtyard area, which is an important open space for the appellants'. The scale and location of house no. 1 relative to the adjoining dwelling to the east and the courtyard area may result in an increase in overshadowing and a changed outlook towards the appeal site in the courtyard area. I would however consider that such would not be excessive in impact so as diminish the appellants' residential amenities. It is notable that the applicants submitted a report regarding overshadowing in their response to the appeal and the appellants' submitted a report countering the findings of such. I would consider that the proposal could be assessed without the need for such studies and that the impact of the proposal in regards to overshadowing is not significant or detrimental to the residential amenities of the appellants' property or any other property adjoining the appeal site. I am satisfied that house no. 1 provides for a dwelling with a pattern and scale of development that has adequate regard to the existing pattern of development the amenities of adjoining properties.

7.4.5 House no. 2 is located to the rear of the site and although not conforming to the established building line of Avoca Avenue, it is located on a sizeable site that has the capacity to cater for some level of infill or more comprehensive development of the site than a single dwelling. House no. 2 is located 3.4m from the eastern boundary, 1.4m from the northern boundary and 12.3m from the western boundary. The dwelling is a two-storey over basement dwelling with a shallow pitched roof and a ridge height of 6.7m. Immediately to the east is the rear garden serving 'Redwood' with the area immediately to the east of the proposed development is a tennis court. The owners of 'Redwood' who are one of the appellants, note concerns regarding overshadowing and loss of privacy. I would consider there a number of factors that would render the design and scale of House no. 2 acceptable. I would note that the curtilage associate with 'Redwood' is sizeable and House no. 2 is located a significantly remote from the existing dwelling and associated outbuildings on site on

site. I would consider that having regard to the degree of separation between House no 2 and the boundary with 'Redwood' the overall ridge height of the dwelling, which is not excessive, existing boundary treatment between the appeal site and the appellants' property, and the fact that any overshadowing would have a negligible impact on the appellants' amenity due to the degree of separation between the proposed and the existing dwelling as well as the sizeable garden area to the rear of the 'Redwood'. In regards to concerns regarding loss of privacy, I would note that there are no windows proposed on the eastern elevation of house no. 2 and that glazing on the southern elevation of house no. 2 would not facilitate direct overlooking of the appellants' property. In addition, existing planting on the within the appellants' property would also prevent any overlooking from the first floor master bedroom orientated to the north. I am satisfied that the design, scale and layout of House no. 2 has adequate regard to the residential amenities of the existing dwelling to the east.

7.4.6 I would also be satisfied that House no. 2 has adequate regard to the amenities of adjoining properties to the west and north. To the west of the site is a block of two-storey terraced dwellings that back onto the western boundary of site (Marino Park). The proposed dwelling is two-storeys in height similar to the adjoining properties and also provides for separation distances in excess of 22m for opposing first floor windows, which is in keeping with Development Plan standards. To the north of the site is Hyde Park Avenue, which consists of two-storey semi-detached dwellings facing onto a service road that has cul-de-sac just north of the site boundary. The location of House no. 2 appears to have regard to the building line of no. 45 immediately to the north. It is notable there is one window at first floor level on the northern elevation. Condition no. 2 requires this window to be fitted with obscure glazing. I would consider that such is appropriate to protect the residential amenities of no. 45 Hyde Park Avenue. Other than this issue, the overall design, scale and layout of House no. 2 has adequate regard to the pattern of development amenities of properties within Hyde Park Avenue.

7.4.7 The other appellant in this case resides at no. 36 Hyde Park Avenue, which is located to the north west of the site. House no. 2 is sufficient distance from the appellant's dwelling and is of a scale and design that would have no significant or

adverse impact on the residential amenities of the appellant's property and would neither overlook or overshadow the appellant's property. The loss of trees on site and the proposal for house no. 2 may alter the outlook from the appellant's dwelling, however such alteration would not be unacceptable and given the location of the site in a suburban residential area such would not be out of keeping at this location. I would consider that the design, scale, layout and orientation of both dwellings proposed has adequate regard to the amenities of adjoining properties and constitutes an acceptable form of development at this location.

7.5 Traffic Impact:

7.5.1 The proposal entails use of the existing vehicular access (3.6m wide) and the provision of a 4.8m driveway running along the western boundary with each dwelling having a separate gated vehicular access off the driveway. The existing access at location along the public road, where visibility is of a good standard in each direction, where there are existing footpaths of a good standard and all parking along Avoca Avenue is confined to the opposite side of the road at this location. In terms of traffic levels, the proposal entails demolition of an existing dwelling to provide for two new dwellings and does entail significant intensity of traffic levels at this location. I am satisfied that the layout of the vehicular access and driveway are sufficient to cater for the traffic levels likely to be generated without causing any traffic safety issues. As noted earlier the levels of off-street car parking provided is in keeping with the minimum standards set down under Development Plan policy.

7.6 Other Issues:

7.6.1 The owners of the property to the east ('Redwood') raised concerns regarding the proximity of works to existing outbuildings, that are of considerable age and lacking in foundations as well as the impact of subsurface works to facilitate the basement level for House no. 2. The concerns include the structural stability of existing structures on the appellants' site as well as the disturbance of construction works. I would consider that the works proposed are not of an unreasonable nature and subject to adequate construction management could be facilitated without causing any structural damage to neighbouring structures. The onus is on the applicant to

carry out such works without causing such damage and there are no grounds to preclude the proposed development based on such concerns. In regards to the disturbance caused by construction works, I would note such works are temporary in nature and subject to construction management controls such as the submission of a construction management plan and restricted working hours. I am satisfied subject to adequate conditions in this regard, the proposal would be in accordance with the proper planning and sustainable development of the area.

7.6.2 The issue of tree removal and lack of proposal for additional planting was raised by the appellants'. From the plans submitted it is notable the majority of trees and hedgerow on site are to be retained with a number of small trees along the western boundary and a few more mature trees along the northern boundary to be removed. This includes a very mature tree at the north western corner of the site. I would note that none of the trees for removal are subject to a tree preservation order. It is not clear, whether the mature tree to north west of the site could be retained and there is no tree report. The Board may wish to request further information in this regard. I would consider that if possible that the retention of the mature tree would be desirable, however I would not consider its loss to be unacceptable as the proposal provides for a good standard of development in keeping with Development Plan policy and the proper planning and sustainable development of the area.

7.6.3 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.

8.0 Recommendation

8.1 I recommend a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

9.1 Having regard to the residential zoning objective for the area, to the pattern of development in the area and to the nature and scale of the proposed development, it

is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable having regard to design and would not seriously injure the visual or residential amenities of the area. The proposed development would also be satisfactory in regards to traffic safety and convenience. 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 plans submitted on the 05th day of January 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

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

Reason: In the interests of the visual amenities of the area.

3. The window at first floor level on the northern elevation of house no. 2 serving the ensuite bathroom, shall be fitted with obscure glazing and maintained as such permanently.

Reason: In the interests of residential amenity.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

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

Reason: To ensure adequate servicing of the development, and to prevent pollution.

6. 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 and a construction stage traffic management plan.

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

7.

(a) Tree/hedgerow protection measures shall be implemented during construction on site to ensure preservation of all trees and hedgerow boundaries to be retained on site. The details of such are to be submitted and agreed in writing the planning authority prior to the commencement of development.

(b) Any new boundary treatment along the eastern and western boundary shall consist of wooden fencing with concrete posts no higher than 2m and shall be erected inside the line of the existing trees and hedgerows along such boundaries. Details of such including drawings and specifications shall be submitted and agreed in writing prior to the commencement of development.

Reason: In the interests of orderly development.

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

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

Colin McBride
Planning Inspector

04th July 2017