



An
Bord
Pleanála

Inspector's Report PL.06F.248444A.

Development	Demolition of house and garage. Construction of house and garage and all associated site works.
Location	19 Greenfield Road, Sutton, Dublin 13.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	F16A/0564.
Applicant(s)	Adrian Hill.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party
Observer(s)	None.
Date of Site Inspection	06/07/2017.
Inspector	Karen Kenny.

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1.0 Site Location and Description

- 1.1.1. The site is located to the south east of Sutton Village on a site between Greenfield Road and Sutton Strand.
- 1.1.2. The site has a stated area of 0.25 hectares. It is a backland site that is accessed from Greenfield Road along a long narrow driveway (c. 60 metres in length) and opens up to the rear to form a large rectangular shaped site that fronts directly onto Sutton Strand. There is a large detached two-storey dwelling and attached garage on the site.
- 1.1.3. The area is characterised by residential development of varying designs. Development in the immediate vicinity along the shoreline includes a number of large detached dwellings and the Marine Hotel to the west.

2.0 Proposed Development

- 2.1. The development can be described as follows:
 - Demolition of an existing two storey dwelling and adjoining double fronted garage. The existing dwelling and garage have a stated floor area of 567 square metres.
 - Construction of a two storey, five bedroom detached dwelling with a detached garage. The proposed dwelling and garage have a stated floor area of 646 square metres.
 - Construction of a new boundary wall to the beach with glass screening, a new slipway and pedestrian entrance to the beach, new entrance gate, piers and all landscaping, boundary and associated works.

3.0 Planning Authority Decision

3.1 Decision

Decision to Refuse Permission.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The Planning Officer's Report reflects the decision to refuse permission.

- Following initial assessment, the Planning Officer's Report concluded that further information was required to support a full understanding of the architectural conservation value of the existing dwelling on site and to assist with Appropriate Assessment (AA) screening.
- The applicant submitted further information that included an Architectural Impact Statement; a Natura Impact Statement; a Tree Survey and Arboricultural Assessment; and details in relation to Flood Risk Management.
- The Planning Officer's Report following the submission of further information concluded the existing building positively contributes to the Sutton Cross and Environs ACA and that demolition of the building would be contrary to objectives of the Development Plan that seek to protect the character of ACA's.

3.2.2. **Other Technical Reports**

Transportation:	No objection.
Water Services:	No objection.
Parks:	Request for Tree Survey. No report following response to F.I.
Heritage:	Request for AA Screening Report. No report following response to FI.
Conservation Officer:	Recommended Refusal.

3.3. **Prescribed Bodies**

Irish Water: No objection.

3.4. **Third Party Observations**

None.

4.0 Planning History

F08A/0436:

Permission granted for the construction of a replacement dwelling at 14 Greenfield Road.

F12A/0317:

Permission granted for the construction of a replacement dwelling at Innisfallen, Dublin Road, Sutton.

F13A/0124:

Permission granted for the construction of a replacement dwelling at Seaverge, Greenfield Road, Sutton.

F14A/0103:

Permission granted for the construction of a replacement dwelling at Dunmuire, Greenfield Road, Sutton.

F16A/0478:

Permission granted for demolition of 1 no. dwelling and the construction of 3 no. replacement dwellings at Ouvane, Greenfield Road, Sutton. The decision is subject to an appeal.

F05A/0676:

Permission granted for the construction of a replacement dwelling at west 'Waters Edge', Greenfield Road, Sutton.

5.0 Policy Context

5.1. Development Plan

The Fingal County Development Plan 2017-2023 is the relevant statutory plan. A number of Development Plan objectives are relevant:

- The appeal site is zoned RS "provide for residential development and protect and improve residential amenity". Adjoining lands to south are zoned HA "protect and enhance high amenity areas".

- Section 11.4 relates to transitional zoning areas and states that it is necessary to avoid developments that would be detrimental to the amenities of the more environmentally sensitive zone. Objective Z04 is to have regard to development in adjoining zones, in particular more environmentally sensitive zones, in assessing development proposal for lands in the vicinity of zoning boundaries.
- Objective PM44 encourages the development of underutilised sites in existing residential areas subject to the protection of amenities, privacy and character, while objective PM45 promotes contemporary and innovative design in such areas.
- Objective NH15 is to strictly protect areas designated or proposed to be designated as Natura 2000 sites. The appeal site is adjacent to the North Dublin Bay SAC and North Bull Island SPA.
- Objectives NH59 and NH60 seek to control development in coastal areas, protect the special character of the coast, accommodate new development within existing developed areas and ensure that development is designed and landscaped to the highest standards.
- Objective DMS175 prohibits development within areas liable to coastal flooding other than in accordance with The Planning System and Flood Risk Management – Guidelines for Planning Authorities, DEHLG and OPW 2009, while Objective SW07 requires a site-specific Flood Risk Assessment for lands with an identified flood risk. There is an identified risk of coastal flooding associated with the appeal site (OPW CFRAMS mapping and Strategic Flood Risk Assessment of the CDP refer).
- The appeal site is located in the Sutton Cross & Environs ACA. Objective CH32 seeks to avoid the removal of structures that positive contribute to the character of an ACA. Objective DMS157 seeks to ensure that any new development positively enhances the character of the area and is appropriate in terms of the proposed design, including: scale, mass, height, proportions, density, layout, materials, plot ratio, and building lines. Objective DMS158 requires all planning applications in ACA's to have regard to the information in Table 12.11.

5.2. Natural Heritage Designations

The site is adjacent to the designated area of two Natura 2000 sites:

- North Dublin Bay Special Area of Conservation (site code: 0206); and
- North Bull Island Special Protection Area (site code: 4006).

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- No. 19 Greenfield Road is not a protected structure and is not located in proximity to any protected structures.
- There is no description or character appraisal for the Sutton Cross and Environs ACA or detail of basis on which site was included within the ACA.
- No. 19 is not visible from Greenfield Road and, as such, makes no contribution to the streetscape of Greenfield Road.
- Almost all the houses visible from this section of the beach to the south of the application site are modern and many are recently constructed. No. 19 cannot, therefore, be said to make a special contribution to the character of this section of Greenfield Road as viewed from the beach.
- Mapping analysis indicates that a pair of semi-detached two storey houses was constructed at no. 19 Greenfield Road, around the end of the nineteenth century. The houses are shown as a pair on the 1936 map but are combined into one house on the 1972 map.
- Works to combine the houses were very destructive, greatly undermining the character of the original houses. A similar pair of houses to the east (still a separate pair) provides a guide in relation to the features that were removed. The works to combine included:
 - Removal of two original front doors together with their door cases, the arched external moulded door surrounds and other external decorative plaster treatment and the semi-elliptical fanlights over each door.

- The demolition of the inner half of each of the two ground floor bay windows and the construction of a new heavily glazed wall at ground floor level forward of the original façade. This work also involved the creation of a shallow first floor balcony between the two first floor bays and the creation of a new 'formal' entrance treatment consisting of a pair of shallow engaged columns with a thin curved concrete projecting roof over. The new front façade dramatically undermined the original character.
 - The removal, in the main body of the houses, of the dividing wall between the houses and the removal of the stairs on each side of that wall. A new much wider stairs was then inserted with a lower flight rising from the centre of the new wider hall.
 - The construction of new extensions at each side of the now combined return. This required the removal of the original window at the rear of each of the rear ground floor rooms in the main body of the houses and the insertion instead of corner windows in these rooms.
 - The hollowing out of the ground floor of the original returns to create a series of interconnected kitchens and some other ancillary spaces, and the extension of the returns at ground floor level both at the side and at the rear. These works involved the removal of large sections of the original walls at the ground floor of the returns.
 - The construction of extensions at the sides and rear of the combined houses and their returns, thereby considerably changing the character of the building.
 - The severance of a considerable part of the rear gardens of the original houses from the property and the erection of a separate dwelling (to the north) at some time after 1972. The new dwelling sits between no. 19 and Greenfield Road.
- The combined house has a strange character externally and internally, with pairs of windows, pairs of doors and pairs of corridors and is not fit for purpose as a family home.

- The original houses that now form the single house at no. 19 have been so significantly altered and so much lost that very little of the original character is apparent. Recasting what is there (as a single house or two houses) would involve very extensive new construction detailed in a manner that might create a reproduction of what might have been there 100 years ago. The recreated house or houses might look like buildings of the late Victorian period, but they would not be authentic, contrary to conservation principles and guidelines and best practice.
- The structure does not and did not form an important urban landmark, and as such is not of sufficient architectural heritage value to warrant reinstatement on that basis. The Planning Officer's Report suggests that the planning authority considered the special interest of the structure to lie in its vernacular character. However, the character of the structure has been so compromised by its amalgamation into one house and by the extent of unsuitable alteration that any value associated with its vernacular character has largely been lost. Therefore, having regard to the significant extent of reconstruction that would have to occur to reinstate the structure's original character and the economic viability of same it is considered that the reinstatement is not appropriate.
- The existing house is in poor condition and evidence of damp, etc was provided.
- The application site is in an area susceptible to flooding and the existing structure has a finished floor level below the recommended.
- The proposed house is of similar scale, height and character to neighbouring houses on Greenfield Road and is consistent with the pattern of development within the Sutton Cross and Environs ACA. The development offers the opportunity to redevelop this isolated site to a good standard of residential amenity and to address coastal flooding.

6.2. Planning Authority Response

- The application was assessed against the policies and objectives of the Development Plan and existing government policy and guidelines. The proposal was assessed having regard to the development plan zoning

objective as well as the impact on the Sutton and Environs ACA and adjoining neighbours.

- The Planning Authority remains of the opinion that the proposed demolition of the existing dwelling in order to construct a replacement dwelling will result in the loss of a building that positively contributes to the character of the Sutton Cross and Environs ACA and therefore contravenes materially Objective CH32 of the Development Plan. The Planning Authority remains of the view that the applicant has not demonstrated exceptional circumstances that would necessitate the demolition of the heritage building within the ACA and that it contravenes Table 12.11 of the Development Plan.

6.3. **Observations**

None.

6.4. **Further Responses**

None.

7.0 **Assessment**

7.1.1. I consider that the main issues in this case are as follows:

- Principle of Development
- Visual Impact and Impact on Character of the Area
- Impact on Residential Amenity
- Flood Risk
- Other Issues
- Appropriate Assessment

7.1.2. I note that the reasons for refusal considers that the development would 'contravene materially' Objective CH32 and Table 12.11 of the Fingal County Development Plan 2017-2023. However, I do not consider the objective and table to be sufficiently

specific to be considered a material contravention in terms of normal planning practice and the Bord should not consider itself constrained in this regard.

7.2. Principle of Development

- 7.2.1. The application site is zoned RS “To provide for residential development and protect and improve residential amenity”. I am satisfied that the proposed residential development is acceptable in principle within the zoning category, subject to the assessment of the relevant planning issues identified below.

7.3. Visual Impact and Impact on Architectural Conservation Area

- 7.3.1. It is proposed to demolish an existing two storey dwelling and garage with a stated floor area of 567 square metres and to construct a new two storey dwelling on a similar footprint, with a stated floor area of 534 square metres and a new single storey garage with a stated floor area of 112.46 square metres. Some of the existing tree and hedge planting will be removed to facilitate the development, while it is proposed to retain and protect the remaining planting.
- 7.3.2. The existing structure is rectangular in shape with hipped roof over a central block and a number of subordinate wings to side and rear. The Planning Authority refused permission for the development on the grounds the proposed development would result in the loss of a building that positively contributes to the character of the Sutton Cross and Environs Architectural Conservation Area (ACA) and that the applicant had not demonstrated exceptional circumstances that would necessitate the demolition of the heritage building.
- 7.3.3. The grounds of appeal set out the chronology of the existing structure on the site. The house first appears on ordinance survey maps in 1907 as two semi-detached dwellings that faced towards Sutton Strand. Ordnance survey maps suggest that the original houses were combined into one house between 1936 and 1972 and that this resulted in the loss of many original features including the original entrance doors and internal stairways. Ordnance survey mapping also indicates that the original plot extended from Greenfield Road to Sutton Strand, and that it was subdivided sometime after 1972 to accommodate the detached dwelling to the north (no. 19A) that fronts onto Greenfield Road.
- 7.3.4. The grounds of appeal note that there is no description or character appraisal for the Sutton Cross and Environs ACA or detail as to why the appeal site is included within

the ACA. I would note that this ACA is recently designated under the Fingal County Development Plan 2017-2023. It is argued that the structure is not visible from Greenfield Road and, as such, makes no contribution to the streetscape of Greenfield Road. The dwelling fronts the beech to the south and it is argued that many of the houses that are visible from the beech are modern. The grounds of appeal also argue that the original structure on the appeal site has been so significantly altered that very little of the original character is apparent. It is argued that a recasting of what is there (as a single house or two houses) would involve very extensive new construction to reproduce what might have been there 100 years ago. The recreated house or houses might look like buildings of the late Victorian period, but they would not be authentic. The grounds of appeal also argue that the structure does not and did not form an important urban landmark, and as such is not of sufficient architectural heritage value to warrant reinstatement.

- 7.3.5. I would note that the Report of the Conservation Officer dated 5th April 2017, states that the ACA designation for Sutton Cross Environs has been established with the aim of ensuring better protection of the late 19th and early 20th century houses and villas on long plots that form the special character of the area as these are increasingly coming under threat and that the slow but incremental loss of these buildings will fundamentally change the place.
- 7.3.6. Development on the appeal site is set back from Greenfield Road by approximately 80 metres and the site is not visible from Greenfield Road due to development to the north. On this basis it is considered that the structure does not contribute to any special architectural character that may exist along Greenfield Road. There is a mix of development styles and types along Sutton Strand that date from around the end of the nineteenth century to the current day. I would note that a significant proportion of the original plots are altered or subdivided through infill development, and it is considered that the original character of this area has been significantly altered over time through plot subdivision, infill development and the construction of replacement dwellings. This is evident in the case of the appeal site and the adjacent sites to east and west, which have been subdivided to accommodate large infill dwellings.
- 7.3.7. Historic mapping indicates that there is a relationship between the appeal structure, which was originally built as a pair of semi-detached dwellings and a similar pair of

semi-detached dwellings on site no. 17 to the east that were constructed in the late 19th century. The structure on the appeal site was later merged to form a single dwelling unit and significantly altered. The Planning Officer's Report notes that the dwelling continues to share some similarities with no. 17 with reference to roof profile, chimneys and canted bays on the front elevation and that these dwellings are the only examples of such buildings within the ACA to the east of the Strand Hotel (now the Marine Hotel). I would note that there is no reference to any wider social or historical associations.

While there is a historic relationship between no. 19 and no. 17 to the east and architectural similarities remain between the central block, roof profile and chimneys of both structures, there have been significant alterations to no. 19, including its amalgamation into a single dwelling and alterations to the external façade that include the removal of the original front doors and later additions to side and rear. It was also noted on the basis of an internal inspection that the structure has been significantly altered internally. Having regard to the extent of architectural variation along Sutton Strand, particularly to the east of the Marine Hotel and the extent of alterations to the exterior of the subject structure, it is considered that any special interest that might exist relies heavily on the relationship with the semi-detached dwellings to the east. It is considered that this relationship is weakened by the lack of a wider historic architectural context, the alterations to the subject dwelling and the presence of a substantial infill dwelling between the two sites. I would also note that original plots have been subdivided and that no further subdivision of the plot is proposed. It is considered, on balance, that the retention of the structure is not warranted and that the development would not be in conflict with Development Plan policy to avoid the removal of structures that positively contribute to the character of an Architectural Conservation Area.

- 7.3.8. The proposed dwelling is rectangular in shape measuring c. 26.3 metres in width by 12.8 metres in depth with a maximum height of 9.2 metres. The dwelling would be finished in render with stone pillars and string coursing detail on the external wall. Blue / black slate roof tiles are proposed on the main dwelling with a zinc roof and roof lights proposed over an attached single storey projection on the eastern side. The garage is a rectangular shaped four bay detached garage of 112.26 square metres. It is proposed to provide a new stone wall / pillars of 1.6 metres in height

along the entrance driveway, a new gate and to resurface the driveway. Within the site it is proposed to retain boundary walls along the northern boundary and wall and hedge along the eastern boundary. It is proposed to construct a 1-metre-high wall with 900 mm high glass balustrade over along the southern boundary to Sutton Strand.

7.3.9. The appeal site is an established residential property situated between Greenfield Road and Sutton Strand. While the area is characterised by residential development of varying scales, dwellings immediately to east and west are two storey detached and semi-detached dwellings, with a mixture of contemporary and more traditional designs. I am satisfied that the overall scale and massing of the development is appropriate at this urban location and that it would not be unduly overbearing when viewed from the surrounding area. The development by reason of its design is considered to be in keeping with the character of development in the immediate vicinity.

7.3.10. In terms of its impact on coastal views, there is an established precedent of development abutting the coast at this point, and given the urban context, views along the coast incorporate built form. Having regard to the urban context, the established residential use on site and the scale of development proposed, I consider that the proposed development would not unduly alter views and prospects along the coast or be visually obtrusive.

7.4. Impact on Residential Amenity

7.4.1. The proposed dwelling is located centrally within the site and is set back from the adjacent residential properties by c. 3.785 metres (west), 1.4 metres (east) and 32.45 metres (north). The proposed single storey garage adjoins the eastern boundary. It is considered that the proposed dwelling would not give rise to overlooking or overshadowing of dwellings to the north, east and west and that the development would not impact unduly on the amenities of dwellings in the vicinity.

7.5. Flood Risk

7.5.1. OPW CFRAMS mapping and the Strategic Flood Risk Assessment of the Fingal County Development Plan, 2017-2023 indicates that the subject site is at risk from coastal flooding and is located within Flood Zone A.

- 7.5.2. The Planning System and Flood Risk Management – Guidelines for Planning Authorities, DEHLG and OPW (2009) require a systematic approach to flood risk management at each stage in the planning process. Table 3.1 of the guidelines indicate that residential development is a highly vulnerable development class and Table 3.2 indicates that such development can only be considered in Flood Zone A, where it meets the criteria of the Development Management Justification Test detailed in Chapter 5 of the guidelines.
- 7.5.3. The Engineering Report submitted with the application acknowledges that the development is vulnerable to coastal flooding and proposes to raise the finished floor level of the development to 4.0 metres OD Malin for flood resilience and to construct a flood defence wall along the southern boundary.
- 7.5.4. Having regard to the established residential use of the site, that fact that no significant increase in the footprint of the built structures is proposed and that the proposed development would incorporate enhanced flood protection measures, it is considered that the development is acceptable.

8.0 Appropriate Assessment

8.1 Stage 1 Screening

- 8.1.1. This section of the report considers the likely significant effects of the proposal on European sites. The assessment references the information submitted with the application including a Natura Impact Statement (NIS).
- 8.1.2. There are a number of Natura 2000 sites within a 2 km radius of the site or with potential linkage through water supply and drainage networks as follows:
- North Dublin Bay Special Area of Conservation (site code: 0206).
 - North Bull Island Special Protection Area (site code: 4006).
 - South Dublin and River Tolka Estuary SPA (site code: 4024).
 - South Dublin Bay SAC (site code: 0210).
 - Howth Head SAC (site code: 0202)
 - Baldoyle Bay SAC (site code: 0199)

- Baldoyle Bay SPA (site code 4016)
- Poulaphouca Reservoir SPA (site code: 4063)

8.1.3. The appeal site is located adjacent to the designated areas of North Dublin Bay Special Area of Conservation (site code: 0206) and North Bull Island Special Protection Area (site code: 4006).

8.1.4. Sutton Strand forms part of the designated area of the North Bull Island SPA. The NIS submitted as part of the application notes that Sutton Strand is likely to be an important roosting / feeding area for wintering wading birds although no birds were recorded during a survey. The site adjoins the sandy shore of Sutton Beach and there is a margin of coarse vegetation above the high tide line of 2-3 metres which can be described as embryonic dunes. These embryonic dunes are outside the site boundary and no development or use of machinery is proposed in this area.

8.1.5. Habitats within the site are entirely composed of buildings and artificial surfaces and treelines. It is proposed that inert construction and demolition waste will be removed by a licenced contractor. I am satisfied that there will be no loss of habitat within the SAC/SPA and that there will be no appreciable change to run off properties from the site arising from the development.

8.1.6. In relation to disturbance effects arising from the construction phase of the project, the NIS recommends that a temporary hoarding is erected within the site boundary to the rear of the site adjoining Sutton Strand prior to the commencement of construction, that the hoarding be maintained in place for the duration of site works and that all access to the site is from Greenfield Road with no access from Sutton Strand during construction. The NIS states that this construction methodology has been employed for other projects in the area with no known adverse effects to the SAC / SPA. I am satisfied that proposed construction management arrangements are adequate to ensure that there is no source – pathway – receptor linkages between the proposed development and these sites and that no significant effect would arise.

8.1.7. Water supply to the development and drainage from the development will utilise connections to the public drainage networks that serve the existing dwelling on site. Water supply to this area is from the Poulaphouca Reservoir SPA and drainage is to the Ringsend Treatment Plant which discharges to the Dublin Bay SAC. I am

satisfied that there will be no significant changes to the properties of discharge or to the level of water usage and that no significant effect is likely to arise, either alone or in combination with other plans or projects that may result in significant adverse effects to the Poulaphouca Reservoir SPA and the Dublin Bay SAC.

- 8.1.8. While I note that other designated sites that fall within the zone of influence, namely South Dublin and River Tolka Estuary SPA, Howth Head SAC, Baldoyle Bay SAC and Baldoyle Bay SPA, I am satisfied having regard to the nature and scale of the development, its proximity to these sites and the absence of source – pathway – receptor linkages that 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 these European sites.

8.2. **Screening Conclusion**

It is reasonable to conclude that on the basis of the information on the file, which I consider to be adequate in order to issue a screening determination that that proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 0206 (North Dublin Bay SAC), No. 4006 (North Bull Island SPA), No. 4024 (South Dublin and River Tolka Estuary SPA), No. 0210 (South Dublin Bay SAC), No. 0202 (Howth Head SAC), No. 0199 (Baldoyle Bay SAC), No. 4016 (Baldoyle Bay SPA) and No. 4063 (Poulaphouca Reservoir SPA), or any other European Site, in view of the site's conservation objectives, and that a Stage 2 Appropriate Assessment is not therefore required.

9.0 **Recommendation**

- 9.1. Grant permission with conditions.

10.0 **Reasons and Considerations**

Having regard to the 'Residential' zoning of the site and the pattern of existing development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity and would not conflict with the

objectives of the Development Plan for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 22nd day of March 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. A temporary solid hoarding shall be erected within the site boundary to the rear of the site adjoining Sutton Strand, prior to the commencement of construction and this hoarding shall be maintained in place for the duration of the site works. There shall be no encroachment of Sutton Strand during the course of development and all access to the site during construction shall be from Greenfield Road only and no access shall be permitted from Sutton Strand during construction.

Reason: To protect Natura 2000 Sites.

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

Reason: In the interest of the visual amenity.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing

with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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

Reason: In the interest of public health.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

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, 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.

Karen Kenny
Planning Inspector

24th November 2017