



An
Bord
Pleanála

Inspector's Report 06S.248636

Development	Demolition of dwelling and garage and construction of two dwellings with boundary wall, pedestrian and vehicular entrance.
Location	St. James, Knocklyon Road, Dublin 16.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD17A/0087.
Applicant(s)	Teresa Brennan.
Type of Application	Permission.
Planning Authority Decision	Refusal
Type of Appeal	First Party.
Appellant(s)	Teresa Brennan.
Observer(s)	None
Date of Site Inspection	6 th September 2017
Inspector	Susan McHugh

1.0 Site Location and Description

- 1.1. The appeal site is located on the western side of the Knocklyon Road, at the former junction with Knockcullen residential estate, to the south of the Applegreen petrol service station and former Landy's industrial estate which has recently been redeveloped for housing.
- 1.2. The site is located to the south of a row of 6 No. two storey semi-detached houses. On the opposite side of the road to the east there is a recently constructed two storey house and detached gable fronted two storey houses along Knockcullen Rise. The site is bounded to the west and south by open space which is County Council land reserved for new road realignments from Knocklyon Road to Firhouse Road.
- 1.3. The appeal site is stated as being 0.055ha. It currently comprises a two storey detached house on a significant curtilage amidst suburban housing estates and dwellings. The house has a single storey garage structure on the northern side with two small extensions to the rear. There is an existing vehicular access from Knocklyon Road.
- 1.4. Boundary treatments are defined by a low stone wall with pedestrian and vehicular gates to the front, which sits proud of the front boundary wall along Knocklyon Road by approx. 2.5m. Mature hedgerow is located to the south. To the west Knocklyon Road is single carriageway with footpaths on both sides.

2.0 Proposed Development

- 2.1. Permission is sought for the demolition of the existing two storey house and the subdivision of the site to provide 2 no. two storey semi-detached, two and three bedroomed houses with shared vehicular access onto Knocklyon Road.
- 2.2. House nos. 1 and 2 have a floor area of 103sqm and 117sqm respectively, each with ridge heights of 7.45m and a projecting front porch. Both dwellings comprise entrance hall, kitchen dining, utility and sitting room with toilet at ground floor, 2 and 3 bedrooms respectively at first floor with ensuite to the master bedrooms.

- 2.3. It is proposed to deconstruct and relocate the front stone boundary wall and create a pedestrian access. The existing vehicular entrance is to be widened to 3.8m with three car park spaces proposed to serve both dwellings.
- 2.4. The planning application was accompanied by a Planning Report and Technical Roads Report.

3.0 **Planning Authority Decision**

3.1. **Decision**

The Planning Authority decided to **refuse** permission on 11/05/2017 for three reasons referring to:

1. The proposed demolition of the existing house would detract from the character of the area; the applicant has failed to justify the demolition of the existing house which is of local architectural interest and adds character to the area; contrary to Council policy in relation to the conservation of existing older buildings, (HCL) Policy 5; The proposed demolition of the historical dwelling and deconstruction and relocation of the front stone boundary wall would contravene the residential zoning objective for the area.
2. The proposed development would endanger public safety by reason of a traffic hazard as it has not been shown that adequate sightlines /visibility can be achieved; the removal of the existing hedgerow and/or deconstruction of the existing stone wall is not acceptable; inadequate space available for vehicular turning movements within the subject site; and would give rise to reversing movements on to a heavily-trafficked road at a location where sightlines are restricted to the south.
3. The surface water, foul drainage and water supply connection drawings and proposals are incomplete.

3.2. **Planning Authority Reports**

3.2.1. **Planner's Report**

The Planner's Report is the basis for the Planning Authority decision. It includes:

- Area is zoned RES 'To protect and/or improve residential amenity'.
- Six Year Road Objective to rear of site on Council owned land which is subject to a Compulsory Purchase Order (CPO).
- Notes that the dwellings sizes and rear garden areas meet Development Plan standards. Notes the footprint of the proposed semi-detached dwellings would be moved back from the Knocklyon Road in order to accommodate proposed car parking which will greatly reduce rear garden depths, and would effectively place the semi-detached dwellings between two roads front and back when the proposed CPO land to the rear is used for road construction.
- Notes the existing house is in need of refurbishment and is a building of local architectural interest, although not listed as a Protected Structure. The replacement dwellings would be inferior to the existing historic setting, and considers it more preferable to retain, renovate, extend and refurbish the existing dwelling and associated front stone boundary wall. An adequate justification for the demolition of the existing dwelling which contributes to the character of the area has not been provided.

3.2.2. Other Technical Reports

- **Water Services**– Additional information requested in respect of surface water connection, flood risk, water main and foul water layout.
- **Roads Section** – Not satisfied that adequate sightlines/visibility can be achieved; the proposed development would endanger public safety by reason of a traffic hazard. A refusal is recommended.
- **Parks and Landscaping Services** – Objects to the removal of the existing stone wall to the front of the site along the road.
- **Conservation Officer** – Considers the existing building should be retained.
- **EHO** – No objections subject to conditions.

3.3. Third Party Observations

- No submissions received.

4.0 Planning History

PA SD13A/0061 ABP PL06S.242122 Permission **refused** 25/10/2013 for demolition of existing two storey house and ancillary buildings in order to construct two no. two storey detached dwelling houses. Reason for refusal;

1. Having regard to the inadequate space available for vehicular turning movements within the subject sites, it is considered that the proposed development would give rise to reversing movements onto a heavily-trafficked road at a location where sightlines are restricted to the south, and in close proximity to a busy junction. The proposed development would, therefore, endanger public safety by reason of traffic hazard and obstruction of road users.

File attached.

PA SD13A/0131 Permission **refused** 19/08/2013 for demolition of existing two storey house and ancillary buildings in order to construct one two storey detached dwelling house. Reasons for refusal;

- 1. Development of the kind proposed would be premature pending the determination by the planning authority or the road authority of a road layout for the area or any part thereof.*
- 2. The proposed development would endanger public safety by reason of traffic hazard due to the substandard visibility to the right while exiting.*

5.0 Policy Context

5.1. Development Plan

Under the South Dublin County Development Plan 2016-2022, the site is zoned '**RES:To protect and /or improve residential amenity**'.

Chapter 2 refers to housing, Chapter 9 to Heritage, Conservation and Landscapes and Chapter 11 refers to implementation.

Section 2.4.0 of Chapter 2 considers Residential Consolidation – Infill, Backland, Subdivision & Corner Sites.

H17 Objective 2 states: *To maintain and consolidate the County’s existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.*

H17 Objective 7 states: *To support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character (including historic character and visual setting) of the area (see Section 9.1.4 Older Buildings, Estates and Streetscapes).*

Section 9.1.4 refers to Older Buildings, Estates and Streetscapes.

It states that Built heritage is not confined to buildings, features and items listed as Protected Structures or located within Architectural Conservation Areas. Modest rural, urban and suburban houses and groups of houses that date from the late 19th century and early to mid 20th century can contribute to the historic character and visual setting of a place. Such structures can also have a distinctive planned layout, architectural detailing or collective interest that contributes to architectural interest, historic character and visual amenity throughout the County.

HCL Policy 5 states: *It is the policy of the Council to encourage the preservation of older features, buildings, and groups of structures that are of historic character including 19th Century and early to mid 20th Century houses, housing estates and streetscapes.*

HCL5 Objective 1 states: *To retain existing houses that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.*

HCL5 Objective 2 states: *To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.*

HCL5 Objective 3 states: *To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.*

HCL5 Objective 4 states: *To ensure that infill development is sympathetic to the architectural interest, character and visual amenity of the area.*

Section 9.1.5 refers to Features of Interest.

HCL 6 Objective 1 states: *To ensure that development within the County including Council development seeks to retain, refurbish and incorporate historic items and features of interest.*

Chapter 11 sets out development standards and criteria. Infill sites are addressed in Section 11.3.2. It states:

Infill Sites: Development on infill sites should meet the following criteria (inter alia):

- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.*

Section 11.5.4 refers to Older Buildings, Estates and Streetscapes. It states that *Development proposals to demolish a dwelling that is not a Protected Structure or in*

an ACA but is considered to be of historic character or architectural interest will be carefully considered. In such cases, a strong justification for the demolition of the dwelling will be required, addressing the potential impact on the historic character and visual setting of the area.

Proposals to extend and/or renovate older buildings and houses should seek to retain original features and finishes that contribute to their architectural or collective interest.

5.2. Natural Heritage Designations

There are no designated areas in the vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal against the decision to refuse permission by the planning authority has been lodged by Marston Planning Consultancy on behalf of the applicant. A copy of an Outline Architectural Assessment accompanies the appeal in addition to two sets of drawings showing revised drainage and sightline proposals. In summary, the appeal states:

Reason no. 1 of refusal

- The existing dwelling has been modified and does not reflect in any way the form of dwelling(s) indicated on the historical mapping relied on by the Council in making its decision, and is not linked to any local estate or former demesne.
- The property is not of significant architectural merit to warrant its retention and its non-demolition under HCL Policy 5 and Objectives 1 and 3 of the South Dublin County Development Plan 2016-2022. The planning authority have misinterpreted the architectural importance of the property, and as a result have incorrectly dismissed the principle of demolition of the existing house.

- Justification for demolition – Existing house is in poor condition and requires significant upgrade to make it habitable to modern standards. Previous conclusion of the planning authority in relation to the demolition of the house under SD13A/0061 and SD13A/0131 was that the renovation and reuse of the existing older building was not appropriate and therefore the replacement of the existing house is acceptable. The planning authority's decision on the current application contradicts previous decisions.
- Questions the nature and reasoning of the planning authority decision - The current proposal fully addresses the previous reason for refusal by the Board under Reg. Ref. SD13A/0061 / ABP Re. PL06S.242122. The decision of the planning authority has relied significantly on the Direction issued by the Board which indicated that it they may not have been satisfied that the demolition of the existing house was justified. The planning authority has misinterpreted this Direction to mean that the Board was not satisfied. The current application has addressed the Board's previous concerns in relation to traffic safety and the quantity / quality of private open space.
- Quality and quantity of private open space – The rear gardens provide the minimum requirements for open space and have a south-west orientation. The separation distance of the new roadway from the rear boundary is 9m and will not negatively impact on the residential amenity of the private open space proposed.
- Not listed as a Protected Structure – No submissions were received under the current application in relation to its architectural interest and reliance on a submission on a previous application is completely incorrect. The local authority has not added the property to the Record of Protected Structures.
 - The reference in the planning report that applicant has made no effort to repair / restore / or adapt the existing dwelling is misleading and inaccurate in the context of the CPO which has been ongoing since 1975.
- Pre- planning consultation - Contends that the advice given at pre-planning is wholly different to that reported in the planners' report. That while the possibility of retaining the existing house and its sub-division was investigated the conclusion reached was that it would result in a traffic hazard and as such was

dismissed as a viable option. The potential of renovating and extending the existing house was also assessed but would require a large extension to the rear.

- The proposal to demolish the existing house and to develop two new houses is fully in accordance with section 2.2.2 of the County Development Plan and the Sustainable Residential Development in Urban Areas Guidelines, and this was not considered by the planner in their assessment.

Reason no. 2 of refusal –

- If the Board conclude that the first reason for refusal has been addressed and the demolition is acceptable in principle then the second reason for refusal, which relates to the front boundary wall, is no longer valid.
- Sightlines - Adequate sightlines can be achieved. Details in relation to the boundary wall and hedgerow have been corrected and updated as part of the appeal (see Drawing no. 1018-SK04 by Condon Drew Associates). The Roads Department recommended further information and not a refusal. The Councils own plans for the new Knocklyon Road as part of the CPO indicates the complete removal of the boundary and mature trees that they say are of such concern to them under this application. Lack of consistency in decision making is concerning.
- Vehicular turning movements - The Roads Department of the Council have already concluded that turning movements and access to the three car parking spaces within the site are acceptable in showing that vehicles can safely access and egress the site in a forward gear. This has been disregarded by the planning officer.
- Existing Access - Any other development proposal for the site that retained St. James or its sub-division would result in an intensification of the deficient access and result in an increase of reversing movements onto the public road. This was not considered in the assessment of the Planning Authority.
- Knockullen Rise previously had a junction with Knocklyon Road to the east of the site has been cul-de-saced since the two previous 2013 applications. This

materially alters the road environmental and adjacent to the subject site and makes the yellow box obsolete.

Reason no. 3 of Refusal

- Drainage and water supply - Has been addressed by the accompanying drainage map and a revised site layout plan indicating connection to the public surface water and sewer network. It is not a valid reason for refusing permission at this location.
- Flood Risk – No history or potential for fluvial or pluvial flood events on the subject site or immediately adjacent lands.

6.2. **Planning Authority Response**

The planning authority confirmed its decision and considered that the issues raised by the appellant have been considered in the Planner's Report.

6.3. **Observations**

None.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issues of appropriate assessment also need to be addressed. The issues can be dealt with under the following headings:

- Principle of Development
- Traffic Issues
- Surface Water Drainage
- Private Open Space

- Appropriate Assessment

7.2. Principle of Development

7.2.1. The site is zoned 'RES- To protect and/or improve residential amenity'. The Development Plan policies support and facilitate the replacement of existing dwellings with one or more replacement dwellings, subject to the protection of existing residential amenities and the preservation of the established character of the area.

7.2.2. The Board previous refusal of permission for the demolition of the house and its replacement with two houses (PA Ref. SD13A/0061 ABP Ref. PL06S.242122) was on the basis of one reason that the development would endanger public safety by reason of a traffic hazard and obstruction to road users.

In its Direction the Board noted Policy AA10 and Section 4.2.4 of the then Development Plan (2010-2016) which encouraged the rehabilitation, renovation and reuse of existing buildings, where appropriate, and acknowledged the contribution of vernacular buildings, seeking their retention where feasible.

It was also noted that the Board 'might not have been satisfied that the demolition of the existing house is justified, particularly in view of the cramped form of development proposed, including a poor quantity and quality of private open space that would immediately adjoin the proposed Knocklyon Road realignment. The Board also noted the presence of "St James's" on Cassini 6" and on 25" historical mapping. However, it was considered that this concern would constitute a new issue in the context of the appeal, and having regard to the substantive reason for refusal, the Board decided not to pursue this matter further.'

7.2.3. Since the Board's refusal a new county development plan has been adopted for the area, South County Dublin Development Plan 2016-2022. I note that St. James house was not included in the list of protected structures or located within a designated Architectural Conservation Area (ACA).

7.2.4. The appellant contends that the current proposal fully addresses the previous reason for refusal and that the decision of the planning authority has relied significantly on the Direction issued by the Board.

7.2.5. The crux of this appeal in my opinion, therefore, is the principle of the demolition of the existing house and whether the previous reason for refusal by the Board has been adequately addressed. I intend to consider the issues of the architectural significance of the existing house on site and justification for its demolition in turn.

Architectural Significance of the existing house and front boundary wall

7.2.6. The appellant notes that the property, which is recorded on the 1837 maps, was approximately half the length of the current house. The original dwelling may have been single storey and formed two single storey dwellings. It was modified and extended at first floor level early in the 1900s. At some stage a two storey extension was added to the south side to create the dwelling that is evident today. The appellant considers that no such analysis was undertaken by the local authority in reaching their incorrect conclusions in terms of its historical significance.

7.2.7. I would concur with the appellant in this regard and note the comments of the Conservation Officer did not refer specifically to the architectural significance of St. James. I have read the architectural assessment submitted with the appeal and consider the analysis to be comprehensive in describing the modifications of the property over time. I also accept the point made that the house is not linked to any local estate or former demesne.

7.2.8. The appellant also contends that the property is not of significant architectural merit to warrant its retention. I agree with this assessment and consider that it has no significant architectural features or inherent streetscape value. I also note that there are a variety of house types in the vicinity of the site and that the character of the area has changed significantly in the last number of years with the construction of new dwellings.

7.2.9. It is also proposed to deconstruct and relocate part of the existing front boundary wall in order to improve sightlines. The planning authority consider that the low stone wall along the front boundary with Knocklyon Road contributes to the character of the area and should be retained. I do not consider that the boundary wall adds significantly to the character of the surrounding area and note that there are a variety of boundary treatments in the vicinity of the site.

7.2.10. I have examined the documentation on file and carefully considered the points made with regard to the architectural significance of the existing house and front boundary wall and the policies of the County Development Plan particularly in respect of Section 9.1.4 and Section 11.5.4 - Older Buildings, Estates and Streetscapes.

I note that the existing house is not listed as a protected structure or located within an architectural conservation area (ACA) under the current County Development Plan. I am satisfied therefore, that the proposal is not at variance with the provisions of HCL Policy 5 and objectives 1 and 3 of the South Dublin County Council Development Plan 2016-2022.

Justification for the demolition of the existing house

7.2.11. The appellant notes that the existing property is in poor structural and decorative order, that there are no architectural features, either inside or external, and that the property is not a protected structure. It is one room deep which makes its adaption to modern standards difficult. The applicant notes that a condition report was undertaken by Carroll and Browne consultants in 2012 on behalf of the local authority as part of the CPO procedure. This outlined a number of significant structural defects to the house that would need to be addressed if the house were to be retained.

7.2.12. The appellant asserts that the conclusion of the planning authority in relation to the demolition of the house under PA Reg. Ref. SD13A/0061 and SD13A/0131 was that the renovation and reuse of an existing older buildings is not appropriate and, therefore, the replacement of an existing house by two dwellings would be acceptable. I would agree with the appellant that the planning authority's decision on the current application contradicts the previous decisions.

7.2.13. I also note the case made by the appellant that at pre planning, the possibility of retaining the existing house and sub dividing it into two dwellings was explored. The conclusion reached, however was that it would result in a traffic hazard and as such was dismissed as a viable option. The potential of renovating and extending the existing house was also assessed by the applicant but was not considered a viable option.

- 7.2.14. I am satisfied, on the basis of the available evidence, including the applicants architectural report, that the existing house is in poor condition. I accept that this may well be in part due to a reluctance to maintain the property given the length of time in determining the six-year road realignment and CPO process. The applicant also notes that there would be a significant saving in energy consumption with the construction of two new houses.
- 7.2.15. I am satisfied therefore, that an adequate justification for the demolition of the existing house has been provided, both in terms of its architectural merit and condition. I consider that the proposal to demolish the existing house and to develop two new houses is fully in accordance with section 2.2.2 of the County Development Plan and the Sustainable Residential Development in Urban Areas Guidelines.
- 7.2.16. In conclusion, I am satisfied that the demolition of the existing house is acceptable and that there is no substantive basis the first reason for refusal.

7.3. Traffic Issues

- 7.3.1. Reason for refusal no. 2 relates to traffic safety and to the substandard visibility to the right while exiting.
- 7.3.2. It is proposed to provide three car parking spaces to the proposed dwellings from a widened vehicular entrance onto Knocklyon Road.
- 7.3.3. The appellant notes that if the Board conclude that the first reason for refusal has been addressed, and the demolition is acceptable in principle, then the second reason for refusal which relates to the front boundary wall is no longer valid.

Sightlines

- 7.3.4. The appellant submits that the sightline drawing submitted with the planning application was based on the site survey and was misleading. The appellant contends that adequate sightlines can be achieved. Details in relation to the boundary wall and hedgerow have been corrected and updated as part of the appeal (see Drawing no. 1018-SK04 by Condon Drew Associates). They also note that the Roads Department of the local authority recommended further information in relation to achieving adequate sightlines and not a refusal. They note that the Councils own

plans for the new Knocklyon Road, as part of the CPO, indicate the complete removal of the boundary and mature trees to the south.

- 7.3.5. I have examined the Roads Department report, and revised drawings submitted on appeal. I can confirm from my site inspection that ivy has been removed from the wall and low boundary to the south of the site with no planting above, and existing hedgerow and trees to the south have been significantly cut back, and as such sightlines to the south are no longer obscured. The appellant refers to DMURS standards which allows some flexibility in measuring sightlines set back which can be reduced from 2.4m to 2m in certain circumstances. I am satisfied that adequate sightlines from the shared entrance can be achieved in both directions.
- 7.3.6. I also note the speed limit of 50kph and the location of the site in a long established residential area, characterised by houses with front driveways with gated access to the road. I am satisfied that proposed standard access arrangements are acceptable in a suburban area and will not give rise to a traffic hazard.

Vehicular Turning Movements

- 7.3.7. The appellant notes in terms of the existing access that any other development proposal for the site that retained St. James or its sub-division would result in an intensification of the deficient access and result in an increase of reversing movements onto the public road.
- 7.3.8. The appellant also notes that the Roads Department of the planning authority have already concluded that turning movements and access to the three car parking spaces within the site are acceptable, in showing that vehicles can safely access and egress the site in a forward gear.
- 7.3.9. I note the point made by the appellant that previously Knockcullen Rise had a junction with Knocklyon Road to the east of the site. This has now been cul-de-saced since the previous 2013 application. I agree with the appellant that this materially alters the road environment adjacent to the subject site and makes the existing yellow box on the Knocklyon road obsolete. I also note that under the current application it is proposed to provide a shared vehicular entrance by widening the existing entrance, compared to the previous application which proposed two separate vehicular entrances.

I am satisfied that the proposed development addresses reason no.2 and the previous reason for refusal from the Board.

7.4. Surface Water Drainage

- 7.4.1. Reason for refusal no. 3 refers to incomplete proposals in relation to surface water, foul drainage, water supply and flooding.
- 7.4.2. Revised drawings and proposals have been submitted on appeal indicating connections to the public surface water and sewer network.
- 7.4.3. I have examined these drawings and am satisfied that the details submitted are acceptable. I also note that the appeal site is not located within an area of flood risk.
- 7.4.4. In summary, I am satisfied that the third reason for refusal has been addressed.

7.5. Private Open Space

- 7.5.1. The two dwellings proposed are set back from the existing front boundary and have rear garden areas for house no. 1 of 66sqm and for house no. 2 of 71sqm. The rear garden space for house no. 1 is between 4.7m and 6.6m in length and is 11.8m in width. The rear garden space for house no. 2 is between 4.6m and 7m in length and 11m in width. Both rear gardens are truncated as a result of the CPO by South Dublin County Council and are south west facing.
- 7.5.2. The appellant considers that the proposal will provide sufficient open space to meet development plan standards and this was accepted by the planning authority in their assessment.
- 7.5.3. While I accept that the rear garden lengths are shallow, I am satisfied that there is sufficient rear private open space provided to serve both dwellings. The garden lengths have also been increased with a revised layout from the previous proposal under PA Reg. Ref SD13A/0131 ABP Ref. PL06S.242122.
- 7.5.4. In summary, I am satisfied that, private open space provision is adequate and that the proposal will not seriously injure the residential amenities of the area.

7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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 that permission be granted subject to conditions for the following reasons and considerations.

9.0 **Reasons and Considerations**

Having regard to the location of the site on residentially zoned lands, the poor condition of the existing house that is not of particular architectural merit and the pattern of development in the vicinity, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area and would be acceptable in terms of 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 further plans and particulars received by An Bord Pleanála on the 6th day of June, 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 the external finishes to the proposed dwellings and boundary treatment shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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

Reason: In the interest of public health.

4. The footpath along the road frontage shall be reinstated, including dishing at the vehicular entrance, in accordance with the requirements of the planning authority and at the applicants' expense.

Reason: In the interest of pedestrian and cyclist safety.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual and residential amenity.

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. 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.

Susan McHugh
Planning Inspectorate

13th September 2017