



An
Bord
Pleanála

Inspector's Report PL16.248787

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| Development | Demolish existing two-storey building containing shop unit and its replacement with a new two-storey shop unit on a smaller footprint together with new pedestrian lane and footbridge over the River Castlebar. |
| Location | Linenhall Street, Castlebar, Co. Mayo. |
| Planning Authority | Mayo County Council. |
| Planning Authority Reg. Ref. | P17/151. |
| Applicants | Patrick and Anna Fadden. |
| Type of Application | Permission. |
| Planning Authority Decision | Grant. |
| Type of Appeal | Third Party -v- Grant. |
| Appellant | Nancy Flynn. |
| Observers | None. |
| Date of Site Inspection | 18 th September, 2017. |
| Inspector | Paul Caprani. |

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1.0 Introduction

PL16.248787 relates to a third party appeal against the decision of Mayo County Council to issue a notification to grant planning permission for demolition of an existing building on Linenhall Street which currently accommodates a retail store and the construction of a two-storey shop on a smaller footprint to incorporate a new pedestrian laneway between Linenhall Street and the Castlebar River in Castlebar Town. The grounds of appeal argue that the proposed development will involve the demolition of a common wall between the subject property and adjoining property which could give rise to structural integrity problems associated with the adjoining structure. Concerns are also expressed in relation to the design and layout of the proposed building.

2.0 Site Location and Description

- 2.1. The appeal site is located on the south-western side of Linenhall Street, one of the main shopping thoroughfares which is located just off Bridge Street (a continuation of Main Street), Castlebar. The site is located approximately 20 metres from the junction of Linenhall Street and Bridge Street to the east and faces north-eastwards onto Linenhall Street. It is located amongst a row of retail units fronting directly onto the street opposite the old Town Hall. It accommodates a two-storey building which is subdivided into two separate units with separate shopfronts. According to the information contained on file the building on site was constructed in 1973. At the time of site inspection, one of the units was currently vacant. The other unit accommodates a clothes shop. The building has a road frontage of just over 10.5 metres and a depth of just less than 13 metres. The footprint of the building almost occupies the entire site. A small residual yard area is located to the rear adjacent to the Castlebar River which runs along the rear. The building occupies a gross floor area of 271 square metres with a c.135 square metres on both the ground and first floor level.
- 2.2. The adjoining building to the east also accommodates a two-storey building but the ridge height is substantially lower than the structure on the subject site. The

adjoining building is older and probably dating from the 19th century. The adjoining building has been divided into two separate retail units also. At the time of site inspection, the unit contiguous to the appeal site was not occupied but previously was occupied by a hypnotherapy centre. The adjacent unit currently operates as a small retail unit mainly selling clothing, jewellery and bric a brac.

3.0 Proposed Development

- 3.1. Planning permission is sought for the demolition of the existing building on site and its replacement with a two-storey building incorporating a smaller footprint in order to incorporate a new pedestrian laneway along the western side of the site. The laneway is to link up with a new bridge to traverse the Castlebar River to the rear of the site. The new building is to rise to a ridge height of 9 metres and is to incorporate a pitched roof on the front part of the building and a flat roof to the rear. The building is to incorporate a plaster render finish at first floor level together with 3 bay windows over the proposed shopfront. The ground floor is to incorporate a darker external finish together with a front door entrance and large display window. The new building will incorporate a depth of 15.6 metres and signage together with a new entrance to be located on the new western elevation of the building facing onto the laneway. An aluminium curtain wall will link the front part of the building with the rear. New windows will be incorporated on the western and southern elevation looking out over the river. The building will accommodate a retail unit on first and second floor.
- 3.2. The new laneway will vary in width from just over 2 metres in width to the rear to just less than 2.5 metres in width near the footpath at Linenhall Street. The proposed bridge is just over 7 metres in length and 1.96 metres in width. It will incorporate a 1.2-metre-high handrail mounted on polycarbonate panels along its side. The overall length of the bridge is c.7.3 metres.

4.0 Planning Authority's Decision

Mayo County Council issued notification to grant planning permission for the proposed development subject to 8 conditions.

4.1. **Documentation Submitted**

- 4.1.1. The application was submitted on 6th March, 2017. It was accompanied by a completed planning application form, planning drawings and associated fees and public notices etc.
- 4.1.2. A letter was also submitted from the owners of two adjoining sites giving consent to apply for planning permission which will include a new pedestrian laneway and link bridge to an adjoining site.

4.2. **Planning Authority Assessment**

- 4.2.1. A report from the **Mayo National Roads Design Office** states that the proposal does not raise any issues for the national road system. A report from the Roads Design Offices states that there is no objection to the application.
- 4.2.2. An **observation** objecting to the proposed development from the current application was submitted. The contents of this observation have been read and noted.

4.3. **Request for Additional Information**

On 27th April, 2017 Mayo County Council requested the following additional information:

- The applicant was requested to submit an archaeological assessment.
- The applicant was requested to submit proposals safeguarding the structural stability of adjoining properties during the demolition construction works.
- The applicant was requested to submit a method statement for the proposed development indicating how it is proposed to mitigate the impact of the works on Linenhall Street. The method statement should also include a Demolition Waste Disposal Plan.

4.4. **Additional Information Response**

A response was received on behalf of the applicant on 30th May, 2017. It is briefly summarised below:

The results set out in the **archaeological desk-based assessment** note that the existing building was constructed in 1973. Earlier buildings were likely to be constructed on the site in the first half of the 19th century. Archaeological monitoring during construction is therefore recommended. Any earlier buildings that may survive beneath the site will most likely post-date 1816.

A separate report from **Structural Design Solutions** notes that the north-western party wall may need to be underpinned to achieve the proposed new pedestrian finish levels. No significant risk is envisaged by the work to be undertaken. It is recommended that temporary work design is carried out in detail and by a suitably qualified engineer prior to demolition works commencing on site.

With regard to the south-eastern boundary wall, it appears that this wall is of random rubble construction. Furthering opening-up works would not be possible until the building under construction is vacated. Again it is recommended that underpinning is incorporated to facilitate the construction process. It is also recommended that temporary shoring in the structural steel sections would be required to provide horizontal stability of the wall during the construction process. It is concluded that it is possible through suitable design at appropriate stage to realise the proposed construction and mitigate the risk of destabilising walls of adjacent structures.

4.5. **Further Assessment by Planning Authority**

The planning report dated 2nd June, 2017 states that the principle has been accepted by the town planner and architect subject to a number of conditions being attached. Mayo County Council therefore issued notification to grant planning permission for the proposed development subject to 8 conditions.

5.0 **Planning History**

There appears to be no planning history associated with the appeal site. Reference is made in the documentation contained on file that the existing building on site was built in 1973. No further details are contained on file.

6.0 Grounds of Appeal

6.1. A third party appeal was submitted on behalf of Nancy Flynn by David Keane and Associates. The grounds of appeal are outlined below:

- The appellant expresses concern that the gable wall between her property and the adjoining building which is proposed to be demolished is a common party wall that separates the two buildings. It is stated that this wall carries a substantial chimney. The appellant is very concerned that there is no reference as to how this party wall will be dealt with on any of the drawings or documentation submitted as part of the application. The appellant finds it somewhat surprising that contiguous elevational drawings were not submitted as part of the application and this information was not requested by way of further information by the Planning Authority. The common party wall could be at least 180 years old and may have been built on shallow foundations thereby reducing its structural stability. The appellant's concerns have not been allayed by the submission of a report from Structural Design Solutions (by way of additional information) which states that the applicants have not carried out any opening works and "do not have a detailed understanding of the exact situation". This is deemed to be entirely unacceptable. It appears therefore that the appellant's genuine concerns have been ignored.
- Furthermore, despite what it is stated in the structural survey report, it is immediately obvious that the existing floor levels between the two buildings should not match in any way. The grounds of appeal suggest that the structural survey submitted by way of additional information is totally inadequate in terms of allaying the appellant's concerns.
- Reference is made to one of the conditions which requires the party chimney on the left hand side of the building shall be retained and made good. Concerns are expressed that the original chimney could be demolished and reinstated with a new lightweight artificial chimney. It is very concerning that none of the 8 conditions attached to the Planning Authority's grant of permission make reference for the safeguarding of the structural stability of adjoining properties during the demolition and construction works. Furthermore, there are no conditions in respect of demolition and disposal plan for the works to be carried

out. There is no mention of the hours of the proposed demolition and construction works. A formal project construction and demolition waste management plan should have been submitted to the Planning Authority for written agreement prior to the commencement of development.

- The second issue raised in the grounds of appeal relates to the provision of a new laneway along the side of the building. The appellant is concerned that the proposal will result in a negative impact that this may have on her property during construction. She is also aware that legal proceedings have been issued against Mayo County Council for purported damage to a neighbour's property a few doors away as a result of vibration during construction works. It is noted that the horizontal guarding to the footbridge over the river as proposed could be a safety issue for young children as the guarding can be easily climbed.

6.2. Other general concerns include:

- There is no reference to any bin storage.
- The proposed powder coated aluminium windows are inappropriate for this setting.
- There are no details of any staff or ancillary facilities indicated in the drawings for the retail units.
- The precise intended use of the retail unit should be confirmed.
- The fenestration arrangements are in the appellant's opinion unsuitable and inappropriate for the streetscape. The site is located directly opposite the Linenhall building which is listed on the Record of Protected Structures. This overall design proposal is at odds with the historic streetscape.
- Methods of heating and ventilation for the proposed units are not indicated in the drawings submitted. These could have an impact on the exterior of the proposed building.
- The boundary lines represented in the drawings submitted are very wide and this is somewhat confusing in terms of demarcating the exact boundary.

- By way of conclusion it is stated that a detailed structural survey, a detailed demolition method statement and a detailed construction method statement is required.

7.0 Appeal Responses

7.1. Applicants' Response to the Grounds of Appeal

- 7.1.1. A response was received from Taylor Architects on behalf of the applicant.
- 7.1.2. It is stated that the separation walls containing the chimney shall be retained. The issue of the proposed demolition of the wall that separates the two buildings has been clearly dealt with in Mayo County Council's Condition No. 2 of its notification to grant planning permission. Adequate structural surveys and assessments will be undertaken before work is carried out by a competent and suitably qualified structural engineer. All works will be carried out in accordance with the provisions of the Building Regulations and its compliance with Safety, Health and Welfare at Work Acts.
- 7.1.3. A contractor shall be appointed to ensure that all pre-development surveys including party wall surveys, condition and structural reports are carried out. This may involve the propping up of all and every element of work to ensure protection of adjoining rivers, the river wall and existing buildings etc. The appellant is afforded protection in respect of any damage to her property under common law.
- 7.1.4. With regard to the additional information request, all information requested by the Planning Authority was provided and a determination was reached. It is stated that prior to the commencement of any development on site, a detailed method statement specifying how it is intended to mitigate the impact of construction on the proposed adjoining development shall be submitted to Mayo County Council. The plan will include a detailed programme of works and traffic management proposals for the construction period. The proposal will also include a demolition waste and disposal plan.
- 7.1.5. With regard to the proposed pedestrian laneway, it is stated that the area has received positive rejuvenation under other planning applications made in the area. These applications open up a strong pedestrian access between Bridge Street and

the car park behind. The applicants' development intends to connect Linenhall Street via a new pedestrian link bridge to the lands behind. The applicant proposes a modern contemporary façade in keeping with planning reference nos. P16/132 and P16/133.

- 7.1.6. The fenestration to the street façade is totally in keeping with the existing streetscape. With regard to storage, it is stated that the development will incorporate suitable storage to accommodate the requirements of the commercial activity proposed.
- 7.1.7. The issue of proposed windows and door finishes on the street elevation has been clearly dealt with by Condition No. 2 of Mayo County Council's grant of permission.
- 7.1.8. The use of the proposed unit is retail use.
- 7.1.9. It is not considered that the fenestration proposed will have any impact whatsoever on the architectural heritage of the area. It is noted that the site is not located in an architectural conservation area.
- 7.1.10. The building is envisaged to be naturally ventilated. Where plant is required it will be located on the second floor roof.
- 7.1.11. It is stated that all boundary lines indicated in drawings were in accordance with the regulations. There is no requirement to submit a plan showing ownership of land as part of the planning application.
- 7.1.12. Finally, in support of the application the applicants request that the Board take the following into consideration.
 - The land is currently zoned as town centre in the Castlebar Town Development Plan and it is entirely appropriate for development such as that proposed.
 - The development is sympathetic to the character of the area whilst providing a contemporary retail solution.
 - The applicants have operated a business in the area since 1973 and employ 5 people. They now want to significantly enhance the property from its original condition. The entire building is proposed to be operated by the applicant and does not represent a speculative or developer driven agenda.

- The proposal is entirely consistent with other schemes in the area which have been granted planning permission.
- The proposal will represent a positive addition to Castlebar Town.

7.2. Planning Authority's Response to the Grounds of Appeal

It appears that Mayo County Council have not submitted a response to the grounds of appeal.

8.0 Development Plan Provision

8.1. The site is governed by the land use zoning objective "E" – 'Town Centre'.

8.2. The following policies are applicable.

TC02 – it is the objective of the Council to protect the existing streetscape and enhance poorly defined edges on approach roads. New or redeveloped buildings shall respect the height of the existing streetscape, except in instances where the Council consider that there are valid urban design reasons for increased height for example where a building would add definition to an urban space or a key junction/corner site.

TC03 – it is an objective of the Council to encourage and facilitate the development and renewal of areas identified having regard to the core strategy, that are in need of regeneration in Castlebar through the use of all available tools and mechanisms including the vacant sites levy in order to prevent

- Adverse effects on existing amenities in such areas, in particular as a result of ruinous or neglected condition of any land.
- Urban blight and decay.
- Anti-social behaviour.
- A shortage of habitable houses or lands suitable for residential use or a mixture of residential and other uses.

In this regard the following areas are identified for the purposes of renewal and regeneration.

- Lands zoned as 'Town Centre'.

In terms of quantum of development, Section 14 of the Development Plan sets out development standards. In the inner zone of the town centre commercial zone (in which the site is located) higher density is considered appropriate. The plot ratio on the E1 zone is 1 to 1.5. The Local Authority may use its discretion in permitting plot ratios in excess of this where it is considered appropriate. Retail uses are encouraged at the ground floor on the main shopping streets with office or residential uses over. The Planning Authority may insist on a residential content in proposed developments in town centre use zones.

9.0 **Planning Assessment**

I have read the entire contents of the file, visited the site in question and have had particular regard to the issues raised in the grounds of appeal. I consider the critical issues in determining the current application and appeal before the Board are as follows:

- The Impact of the Proposed Development on the Structural Stability of Common Walls
- The Proposed Pedestrian Walkway
- Design Issues
- Other Issues

9.1. **Impact of the Proposed Development on the Structural Stability of Common Walls**

- 9.1.1. The most significant issue and concern raised in the grounds of appeal is that the proposed development during the demolition and subsequent construction phase, could undermine or damage the structural integrity of the common wall between the appellant's unit. The grounds of appeal go on to suggest that the additional information submitted on foot of a Planning Authority's request did not sufficiently

address these concerns and did not provide sufficient comfort to the appellant that the proposed new building would not impact on adjoining structures.

9.1.2. In relation to this issue, I note that the additional information response did not definitively set out the works to be undertaken to ensure that the integrity of all structures in the vicinity would be unaffected by the proposed works. From reading the report by Structural Design Solutions it appears that the lack of specific detail relating to the structural works to be undertaken is predicated on a lack of detailed understanding of the existing structural make-up of the walls in question. Further analysis and surveys of the walls in question would be necessary to formulate a detailed design and construction methodology to maintain the structural their integrity. I am satisfied having regard to similar type developments which occur in urban areas throughout the country, that engineering solutions can be found and implemented to ensure that any development works will not result in deficiencies in the structural integrity of adjoining walls. The additional information submitted in respect of structural design offers a number of options including the underpinning of walls and the prop-up of walls during construction works. The detailed nature of appropriate course of action can be determined reasonably in my view by a suitably qualified engineer prior to demolition works commencing on site. It is apparent that before detailed designs can be formulated for their structural surveys and opening up works would be necessary. As the building is still operating as a commercial retail unit such works can only be carried out when the unit is vacated and preliminary construction and survey works commence. I am fully satisfied that engineering solutions are available to ensure that the structural integrity of all adjoining walls are protected during the construction works and that these issues can be adequately dealt with by way of condition. The Board therefore could consider incorporating a number of specific conditions requiring details to be submitted and agreed with the Planning Authority in relation to construction and demolition plans and detailed method statements for construction on site prior to the commencement of development.

9.1.3. Where a possibility remains that any works carried out on a site could potentially undermine the structural integrity of adjoining structures, this in itself should not constitute reasonable grounds for refusal. As pointed out in the response to the grounds of appeal, the appellant is always afforded protection in respect of damage

to their property under common law and this is not a matter to be determined under planning legislation.

9.2. **The Proposed Pedestrian Walkway**

- 9.2.1. There is also concern that the need for an additional laneway has not been justified and that the proposal may have a negative impact on her property during construction. The nature of the adverse impact is not elaborated upon in the grounds of appeal. It is also suggested that the horizontal guarding on the footbridge may be a safety issue for young children.
- 9.2.2. It is apparent from consulting the Mayo County Council Planning website, that the proposed pedestrian link across the Castlebar River forms an integral part of a larger urban development scheme which is granted planning permission under Reg. Ref. P16/132 and P16/133 which relates to lands to the south and south-east of the subject site on the southern side of the Castlebar River. These developments relate to the demolition of existing retail units and the creation of new mixed use developments including office accommodation, apartment development together with a new river edge treatment and new pedestrian link to Bridge Street etc. It appears therefore that plans are in place to rejuvenate and open up backlands to the rear of Linenhall and Bridge Street.
- 9.2.3. The proposed development in my view, which incorporates a new pedestrian access and bridge, will help facilitate the rejuvenation of this backland space around the banks of the Castlebar River which runs through the centre of town. Such development in my view will assist in unleashing the recreational amenity potential associated with this river within the urban area. In this context I consider the proposed pedestrian access and bridge would form a positive contribution to Castlebar in both urban regeneration and urban amenity terms. I do not consider that the provision of a pedestrian access will in any way undermine the structural integrity of buildings in the vicinity. The incorporation of new fenestration and a new street façade along the laneway will assist and contribute to the vitality of the area.

9.3. **Design Issues**

The appellant questions the appropriateness of permitting such contemporary finishes particularly in respect of windows and doors as part of the proposed

development, particularly having regard to the site's location within a historic commercial streetscape. Reference is made to the fact that the Linenhall building is located directly opposite. While I acknowledge that Linenhall Street is a long established and historic commercial street within the town centre and that it accommodates a number of architecturally and historic important buildings including the Linenhall building, I do not consider that the incorporation of a contemporary design infill will adversely impact on the visual amenity of the streetscape. I consider that the existing building and a number of buildings surrounding the site are of limited architectural merit and as presently configured and designed, I do not consider that the buildings in question significantly add to the visual character of the street. The provision of a new contemporary infill type development incorporating windows and entrances both onto Linenhall Street and onto the adjoining pedestrian laneway would offer a positive contribution to the overall streetscape in urban design terms and would contribute to the vitality of the commercial street. I think a more contemporary design in terms of external finishes and fenestration is entirely appropriate on the subject site. Notwithstanding this point I consider that the proposed building which incorporates a more traditional pitched roof on the elevation fronting onto Linenhall Street respects the size and scale and character of existing buildings along the street. Therefore, I consider the overall design approach to be entirely acceptable.

9.4. Other Issues

- 9.4.1. In terms of storage provision the subject site currently operates as a clothes shop and an ancillary storage area can easily and appropriately be incorporated within the existing premises. There is no need for any outdoor storage areas having regard to the nature of the activities to be undertaken on site. Any change in the use of the shop for example from retail to a restaurant use or café would require planning permission and would be evaluated on its merits.
- 9.4.2. The grounds of appeal argue that the exact nature of the retail unit to be provided on site is not detailed in the planning application. The planning application form makes specific reference to the fact that the proposal seeks to construct a new two-storey shop on the subject site. Such a use falls within Class 1 of Part 4 of the Planning and Development Regulations 2001 (as amended). Any type of shop which falls within Class 1 is deemed to be exempted development in accordance with the provisions of

the Regulations. Therefore, it is not appropriate and would be ultra vires for the Board to require the applicant to specify the exact nature of the shop to be provided on the subject site.

- 9.4.3. With regard to the issue of heating and ventilation requirements, the applicant indicates that it is proposed that the building would be naturally ventilated. I do not consider it necessary or appropriate that exact details of heating be provided prior to determining the application. Any such requirements in this regard would relate to Building Regulations and as such would not fall under the planning code.
- 9.4.4. Finally, I am satisfied that the drawings submitted with the planning application accurately and appropriately delineate the subject site and are in accordance with the requirements of Article 23 of the Planning and Development Regulations, 2001, as amended.

10.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development and the nature of the receiving environment together with the proximity to the nearest European site which is located c.4 kilometres away (River Moy SAC) (Site Code: 002298) 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 and projects on a European site.

11.0 Conclusions and Recommendation

Arising from my assessment above I consider that the Board should uphold the decision of the Planning Authority and grant planning permission for the proposed development.

12.0 Decision

Grant planning permission for the proposed development in accordance with the plans and particulars lodged based on the reasons and considerations set out below.

13.0 Reasons and Considerations

Having regard to the town centre zoning objective for the site it is considered that subject to conditions set out below the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally 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.

14.0 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 and particulars submitted to the planning authority on 30th day of May 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 the 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. Prior to the commencement of development, the applicant shall submit the following for the written agreement of Mayo County Council:
 - (a) Details of all signage and shopfronts.
 - (b) Details of first floor window fenestration.
 - (c) Details of all external finishes to the proposed building.
 - (d) Details of the final bridge and lane design including finished ground levels, paving specification, street lighting, bridge furniture and decking specification on the bridge.

Reason: In the interest of visual amenity and to ensure a proper standard of development.

3. Prior to the commencement of development, the applicant shall submit to the planning authority for written agreement a detailed construction method statement ensuring the integrity and structural stability of all adjoining properties. This method statement shall include adequate structural surveys and assessments to be undertaken prior to any work being carried out on site and shall be undertaken by a competent and suitably qualified structural engineer.

Reason: In the interest of the proper planning and sustainable development of the area.

4. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interests of sustainable waste management.

5. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and

(b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:-

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

A report containing the results of the assessment shall be submitted to the planning authority with any application for permission consequent on this grant of outline permission. Details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to the commencement of construction work, shall be determined at permission consequent stage.

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

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:
 - (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) Details of site security fencing and hoardings;
 - (c) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (d) Measures to obviate queuing of construction traffic on the adjoining

road network;

- (e) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (f) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (g) Provision of parking for existing properties at during the construction period;
- (h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

7. The developer shall pay to the planning authority a financial contribution of €3,067 (three thousand and sixty-seven euro) 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. The application of any indexation required by this condition 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.

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.

Paul Caprani,
Senior Planning Inspector.

18th October, 2017.