



An  
Bord  
Pleanála

## Inspector's Report PL61.248792.

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<b>Development</b>	Permission for 8 no two storey detached dwellings including associated site works, landscaping and new entrance at site.
<b>Location</b>	Barna Road, Knocknacarra, Galway.
<b>Planning Authority</b>	Galway City Council.
<b>Planning Authority Reg. Ref.</b>	16/28.
<b>Applicant(s)</b>	Highgate Properties.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	First and Third Party
<b>Appellant(s)</b>	1. William Dwyer. 2. Highgate Properties Ltd.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	21 <sup>st</sup> of September 2017.
<b>Inspector</b>	Karen Hamilton.

## 1.0 Site Location and Description

1.1. The subject site is a greenfield site located within Knocknacarra, off the main Barna Road (R336) which radiates west from Galway City to Barna. The area surrounding the site is predominantly residential with large detached dwellings on individual plots, to the east and west, fronting onto the main road and semi-detached dwellings in residential estates to the north east and north west, accessed from Shangort Road. The site is bounded along the east and west by mature trees and there is an area of maintained open space along the north and south of the site separating the site from the adjoining roadways.

## 2.0 Proposed Development

2.1. The proposed development is for a residential development and may be summarised as follows:

- 11 no dwellings including 4 no detached and a terrace of 7no two storey dwellings, (6 house types).
- Communal Open space along the south of the site,
- New vehicle access to the south west of the site off the Barna Road,
- 3m wide greenway linking Barna Road to Shangort Road,

## 3.0 Planning Authority Decision

### 3.1. Decision

Decision to grant permission subject to 23 no conditions of which the following are of note:

C 2- Units 5 and 6 (house type 4 (a)) shall be omitted and replaced with type 4.

C 3- A revised site layout shall include the incorporation of the cul-de-sac adjacent to and into Unit 9 and used for car parking.

C 4- The eastern wall boundary at Unit 11 shall not exceed 1.2m and the rear boundary wall shall include a block wall.

C 5- Submission of a Traffic Management Plan for the construction traffic onto the Barna Road.

C 6- Lands forward of the fence line including the adjacent property which are set back to facilitate the sightlines shall be transferred to the ownership of Galway City Council and an agreement in place for such a transfer prior to the commencement of development.

C 7- The surface of the greenway to be submitted for the agreement and temporary gate on access point for the north and no gate on the access point to the south.

C 13 - Submission of landscaping plan which shall include recreational facility details.

C 23 - Part V compliance.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The report of the area planner reflects the decision to grant 11 no dwellings with associated open space, greenway and access onto Barna Road following the submission of a further information and additional clarification as stated below. The report refers to the Appropriate Assessment, the plot ratio, open space provision, car parking and site entrance.

Further Information request:

- Concern was raised as to the sightlines required for the access which are not in the control of the applicant and an amended site layout plan was requested confirming no obstructions and the proliferation of entrances along Barna Road.
- Compliance with DMURS.
- Amendments to the greenway and car parking spaces.
- Concern over the lower pilot density 0.20:1.

- Location of first floor windows 11m from communal open space
- Increase in the distance between gable walls.

Following a response to the above the planning authority requested clarification of further information on the following:

- An increase of plot ration to 0.24:1 is still inadequate for serviced lands in city.
- The submission of a new dwelling is unacceptable with regard treatment to the surrounding area.

Further clarification was requested on the following:

- An increase to 11 units (plot ratio 0.34:1) is still inadequate to meet the development plan standards of 0.46:1.
- The submission of a revised terrace does not include compliance with development plan standards for overlooking.

#### 3.2.2. Other Technical Reports

Roads Department- No objection subject to conditions.

Drainage Section- No objection to proposal.

Environment Section- No objection subject to conditions.

Recreation and Amenity- No objection subject to conditions.

#### 3.3. Prescribed Bodies

Irish Water- No objection to proposal.

Department of Arts, Heritage and the Gaeltacht- Request for further information.

National Roads Authority- Report of the area planner refers to need for compliance with national policy.

#### 3.4. Third Party Observations

Seven submissions were received in relation to the proposed development and the issues raised have been summarised in the grounds of appeal.

## 4.0 Planning History

A number of planning applications on the site were withdrawn, therefore there is no relevant planning history on the site.

## 5.0 Policy Context

- 5.1. Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area (2009)- Urban Design Manual A best practice guide.
- 5.2. Spatial Planning and National Road- Guidelines for Planning Authorities, 2012
- 5.3. Design Manual for Urban Roads and Streets, 2013 (DMURS)
- 5.4. **Galway City Development Plan 2017-2023**

The site is zoned R (residential) where it is an objective *“To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.”*

The site is located within the **“Outer Suburbs”** of Galway City, therefore the following policies and objectives in the development plan apply to new residential developments.

### **Policy 2.5**

Encourage higher residential densities at appropriate locations especially close to public transport routes.

Ensure the layout of residential developments has regard to adjoining developments.

Encourage a mix of housing types and sizes within residential developments.

Encourage the use of home zones within residential developments.

Require residential developments of over 10 units to provide recreational facilities as an integral part of the proposed open space.

Balance between the reasonable protection of the residential amenities of the outer suburbs and the protection of the established character and the need to provide for sustainable residential development.

Appropriate place names for new residential development.

#### **11.3.1 Guidance for residential development within “Outer Suburbs”**

Existing hedgerow, trees, watercourses and stone walls shall be retained where feasible.

The layout of all new residential development shall have regard to adjoining developments and undeveloped zoned land. Where appropriate, linkages and complementary open spaces shall be provided between adjoining developments.

A plot ratio of 0.46:1 for new residential development shall not normally be exceeded.

Residential developments of 10 units and over shall normally provide a mix in type of residential units.

#### **Communal Amenity Space**

15% of the gross site area.

11-20 dwellings require formal recreation facilities such as seating, barbecue, picnic table.

#### **Private Open Space**

Private open space (areas generally not overlooked from a public road) exclusive of car spaces shall be provided at a rate of not less than 50% of the gross floor area of the residential unit.

This open space should where practicable relate directly to the residential unit, which it serves. In certain site conditions and development types, provision of private open space may be made up of areas of communal open space.

#### **11.3.1 (g) Car Parking Standards**

In order to provide for flexibility in residential layouts the following are the options for car parking requirement are required:

2 on-site spaces per dwelling and 1 grouped visitor space per 3 dwellings or

1 on-site space per dwelling and 1 grouped visitor space per dwellings or

1.5 grouped spaces per dwelling and 1 grouped visitor space per 3 dwellings

3 spaces for houses over 200m<sup>2</sup> and 1 grouped visitor space per 3 dwellings

1 space for one bedroom residential dwellings and 1 grouped visitor per 3 dwellings

#### **Policy 4.5.1 Community Spaces: Greenways and Public Rights of Way**

- Continue to develop and improve the greenway network in the city, providing alternative accessible circulation routes for pedestrians and cyclists, for the enjoyment of the entire community.
- Develop a strategic citywide coastal greenway from east to west linking with riverside walkways having due regard to nature conservation considerations.
- Create, enhance and maintain accessible and safe public rights of way where appropriate for pedestrian convenience, including public lighting where appropriate.
- Provide controlled access and linkages into all parks/public open spaces, areas of natural heritage, including along waterways, where it can be demonstrated that there will be no adverse impacts on the integrity of European Sites. Ensure that paths and structures are constructed from suitable materials.

#### **Section 4.5.3 Views of Special Amenity Value and Interest**

- **V. 5** Seascape views encompassing Lough Rusheen including section of Blakes Hill, sections of Knocknacarra Road, sections of Barna Road from Knocknacarra to city boundary and including the road to Silverstrand Beach.

## 5.5. Natural Heritage Designations

The site is located north of and adjacent to the Galway Bay Complex SAC and c. 170m from the edge of the Inner Galway Bay SPA.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are submitted by both the applicant in relation to Condition No 6 and adjoining neighbours to the north east of the site and the issues raised are dealt with separately below.

#### Third Party

The grounds of appeal are submitted from residents of those properties along the north east of the site which back onto the proposed greenway and may be summarised as follows:

- The greenway should not be located along the east of the site as the development plan indicates it running through the middle of the site.
- There is concern in relation to the anti-social behaviour along the laneway.
- The laneway exposes the rear of these properties and will be used for dumping
- The boundary of Unit No 9 runs parallel to the rear of the fencing of the laneway which poses an unsightly and intimidating tunnelling effect.
- The greenway enters south onto a busy road which has largely unsighted traffic.
- The access to the north is through lands not owned by either the developer or the city council.
- The loss of mature trees and hedgerows is a major concern for the privacy of the residents and the impact on the wildlife.



- The main sewer for Knocknacarra area is located under the proposed development site and the appellants are concerned the proposed development will put pressure on the sewer, i.e. construction machinery.

### First Party

A first party appeal has been submitted in relation to Condition No 6 of the grant of permission and may be summarised as follows:

- The transfer of lands as required under Condition No 6 is not feasible as the site to the west is not within the control of the applicant, with an area of 57m<sup>2</sup>.
- A letter of consent from the adjoining landowner was submitted as part of the planning application.
- Should the Board consider the applicant *de novo* it is requested that the proposal is reverted to 8 no. dwellings rather than 11 no. dwellings as required by the amendments of the condition.

## 6.2. Applicant Response

An agent on behalf of the applicant has submitted a response to the third party appeal which may be summarised as follows:

- The proposed greenway is an objective of the development plan and it was located along the east of the site to make the most efficient use of lands where a 3m reservation is required for both pedestrians and cyclists.
- The greenway does not open directly onto Barna Road as there is existing amenity space along the road.
- Further connections to Shangort Road or Barna Road will require further considerations by Galway County Council.
- Replacement landscaping will be undertaken along the boundary and within the communal open space area to the south of the site.

## 6.3. Planning Authority Response

A response received from the planning authority refers to the request by the Roads Department or Condition No 6 in order to ensure the sightlines could be achieved

and maintained. In relation to the third party submission the planning authority states that the issues raised on residential amenity were fully considered as part of the assessment.

#### 6.4. **Observations**

None received.

### 7.0 **Assessment**

7.1. The main issues of the appeal can be dealt with under the following headings:

- Development Plan Compliance
- Access
- Impact on Residential Amenity
- Impact on Visual Amenity
- Other Matters
- Appropriate Assessment

#### **Development Plan Compliance**

7.2. The site is located on lands zoned as residential within an area defined as “Outer suburbs” in the development plan. Specific policies for proposals relating to residential developments are provided in Section 2.5 and Chapter 11 of the development plan which I have detailed below.

7.3. Plot Ratio: Section 11.3.1 of the development plan includes a maximum requirement for the plot ratio of 0.46:1. Following a further information request and further clarification on an increase in the plot ratio on the site, the proposed development increased from 8 no detached dwellings to 11 no dwellings (4 no detached and 7 no terraced). The subject site is 6,188m<sup>2</sup> and the floor area of the 11 no dwellings is 2,129 m<sup>2</sup> providing a plot ratio of 0.34:1. The applicant submits that the restrictions on the site including the fowl sewer, the greenway, the internal road and the requirement for communal open space are constraints which reduce the site area by 1,686 m<sup>2</sup> therefore increasing the plot ratio on the site to 0.47:1 which is above the maximum permitted in the development plan. Therefore, the applicant requests that

the no of dwellings on the site is reduced to 8, in keeping with the pattern of development in the area. The guidance contained in the Sustainable Urban Residential Guidelines and the development plan refer to the sustainable use of serviced lands within urban areas and the need to provide higher densities. I note the pattern of development in the area and the constraints on the site relating to the foul sewer and greenway and I consider the inclusion of 11 no dwellings on the site appropriate to meet the national guidance and development plan standards.

- 7.4. Density: The density of the proposed development is 18 units per hectare, although with the reduction of the site for the wayleave and the greenway, as discussed above, the density increases to 22 per ha. Section 5.11 of the development plan refers to the planning guidelines for Sustainable Residential Development in Urban Areas and accompanying urban design manual, which provides density standards for 35-50 dwellings per hectare for residential schemes as appropriate. The proposed development is on the lower scale of permitted density for compliance although due to the current constrains on the site including the location of the greenway, the need to integrate the wayleave and I consider a lower density acceptable at this location on residential lands defined as “outer suburb” and in keeping with the pattern of development in the vicinity.
- 7.5. Open Space and Landscaping: The communal open space requirement for 15 % of the gross site area has been achieved (site area 6,188m<sup>2</sup> /open space 943m<sup>2</sup>) and a picnic seating area is included. The communal open space is located along the southern section of the site adjacent to the entrance and is overlooked by Unit 1 and 2. An Ecological Impact Statement, which accompanied the application, refers to the retention of the mature boundary along the east and west of the site where possible. In addition, planting is proposed within the communal open space and whip planting along the greenway. I note the location of dwellings c.6m to the west of Units 4 and 5 although the orientation of the existing dwellings, south, prevents overlooking, I consider the retention of the existing boundary would retain the privacy of the rear garden. Therefore, a condition to retain the planting or provide alternative semi-mature planting should be included in any grant of permission
- 7.6. Car parking: The development plan allows flexible options for the provision of parking in residential developments where in general 2 on-site spaces per dwelling is required. The proposed development includes 2 space on site for each dwelling with

a cul-de-sac for turning. Condition No 3 requires the removal of the turning point and integration into the adjoining site (Unit 9) in order to achieve the minimum private open space requirements. Based on the inclusion of turning space within each unit and the provision of two spaces, I consider it reasonable to include a similar condition.

- 7.7. Housing Strategy: Section 2.5 of the plan refers to the inclusion of a variety of housing types and mix in order to comply with the Housing Strategy. The proposed development includes 2 no 5 bed, 4 no 4 bed and 5no 3 bed dwellings. Condition No 2 requires the replacement of Units 5 and 6 (house type 4 A, 3 bed with integrated carport on the ground floor) with house type 4 (4 bed and no carport), therefore the proposed mix would include 2 more three bed units. I consider the provision of 2 no 5 bed, 2 no 4 bed and 7 no 3 bed dwellings and appropriate mix and tenure and the inclusion of condition No 2 reasonable.
- 7.8. Having regard to the location of the site and pattern of development in the vicinity and the design and layout of the dwellings, I consider the proposed development complies with the development policies.

### **Access**

- 7.9. The proposed development includes a new entrance onto the Barna Road (R336) utilising the lands and vehicular entrance of a private property to the west, to achieve the required sightlines (2.4m setback and 90m to the east and west). The report of the Roads Section refers to the need to transfer those lands on the sightlines to Galway County Council. The applicant has appealed the inclusion of Condition No 6 as it is not feasible as the lands (57m<sup>2</sup>) within the sightlines to the west are not within the ownership of the applicant and a letter of consent from the landowner was submitted within the application.
- 7.10. Condition No 6 states "*The lands forward of the fence line including the adjacent property which are set back to facilitate the sightlines shall be transferred to the ownership of Galway City Council, and an agreement put in place for such a transfer prior to the commencement of the development. Reason: In the interest of proper planning and sustainable development*". The report of the area planner refers to a comment from the National Road Authority recommended compliance with national policy. The site is contained within the urban boundary of Galway City, therefore

DMURS guidance for a maximum x distance of 2.4m and y of 90m is acceptable at this location. The report from the Roads Department had no objection subject to conditions. In the response to the first party appeal on condition No 6, the planning authority refer to the need to ensure adequate sightlines to facilitate the development. I do not consider there is any justification that the City Council should have control or ownership over the sightlines for the proposed development and I consider a condition restricting the inclusion of any objects or planting within the areas designated for sightlines sufficient to protect and maintain these and the onus is on the applicant to ensure they have legal control and entitlement to carry out any development permitted. Therefore, I do not consider it reasonable to include Condition No 6.

### **Impact on Residential Amenity**

- 7.11. The site is an infill greenfield site located to the east of the residential estate of Seacrest and to the west of Ashwood. The grounds of appeal are submitted by the residents of Seacrest who argue the location of the greenway along the east of the site will remove the exiting mature hedging, attract anti-social behaviour and have a negative impact on the residential amenity of the residents.
- 7.12. Greenway: The grounds of appeal request that the route of the greenway is centrally located away from the rear of exiting residential properties. Policy 4.5.1 of the Galway City Development Plan provides guidance and support for the provision of a greenways and there is an indicative route on the zoning map, through the centre of the site. A foul sewer wayleave runs along the east of the site and the greenway route runs parallel. The applicant submits that the density and plot ratio requirements cannot be achieved if the greenway runs through the middle, which I consider reasonable. The boundary treatment along the east of the greenway, directly to the rear of adjoining properties to the north east is a 1.8m high fence and timber e-rail fence for the remainder. I consider a 2m high block wall an appropriate boundary treatment as the proposed greenway is 4m from the rear of the closest dwelling and I consider would prevent any overlooking on the rear of the properties in Seacrest (77m from the north of the site). There are no further dwellings directly affected by the greenway, therefore I consider a 1.8m high timber fence appropriate. Condition No 7 requires the submission of the surface, the inclusion of a temporary gate on the access to the north and restriction of a gate the south, which I consider reasonable.

7.13. Design and Location: As stated previously there are currently dwellings to the east and west of the site. These dwellings to the east, Seacrest are located c 20m from Units 8 and 9, separated by the greenway. The grounds of appeal argue the treatment of the eastern elevation of Unit 11 will create a tunnelling effect. The first floor windows are orientated south, away from the existing dwellings which I consider reasonable, to prevent overlooking. The residential estate of Ashwood, is located to the west, and includes a mix of single storey and two storey dwellings. Those dwellings directly to the rear of Units 4- 9 are located c.6m and single storey. It is recommended that Units 5 and 6 have a smaller house type, to ensure a larger rear garden, providing a greater separation distance therefore there will be no overlooking. Therefore, based on the design and location of the existing dwellings and proposed development I do not consider the proposed development would have a significant negative impact on the surrounding residential amenity.

#### **Impact on Visual Amenity**

7.14. The section of Barna Road which runs along the southern section of the site is included as a view of special amenity value which should be protected. The areas of interest listed in V5 include seascape views along this section of the Barna Road from Knocknacarra to the city boundary. The site is located on the northern side of the Barna Road, away from the sea and based on the location of the open space along the southern section of the site and the setback of the dwellings off the road, I do not consider the proposed development would have any negative impact on these views of special amenity or the surrounding area.

#### **Other Matters**

7.15. Archaeology: The subject site is located c.130m from a site designated as a Landscape Feature (GA093-018) in the record of monuments and places (RMP). A report from the Department of Arts, Heritage and the Gaeltacht, requested further information on the archaeological testing although the report of the area planner assumed the report referred to another site. I note the site of the designated landscape is located on the southern side of the Barna Road along the coast and although the landscape is not linked to a building it may be linked to a souterrain with sub surface archaeological remains. Therefore, I consider it reasonable to include a condition for archaeological monitoring on the site.

7.16. Wayleave: The main storm and foul sewer line for Knocknacarra runs through the eastern side of the site and the appellants are concerned the construction traffic etc. will put pressure on and damage the line. The internal road for the development runs over the wayleave and it is indicated there will be no building within 2.6m of the pipes, which I consider reasonable. No objections were raised from Irish Water or the Drainage Section of Galway County Council.

### **Appropriate Assessment.**

7.17. The site is located adjacent to the Galway Bay Complex SAC and c. 170m from the edge of the Inner Galway Bay SPA and an Ecological Impact Assessment and Appropriate Assessment Screening report accompanied the proposal. The screening report refers to the location of the Barna Road bounding the site to the south and the lack of species on the site and concludes that the controls listed in the Construction Management Plan (CMP) will prevent any negative impact on the adjoining SAC/ SPA or other designated site within a 15km radius, which I consider reasonable.

7.18. Having regard to the nature and scale of the proposed development, the conservation objectives of and distance from the European sites, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on either the Galway Bay Complex SAC or of the Inner Galway Bay SPA or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

## **8.0 Recommendation**

8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

## **9.0 Reasons and Considerations**

Having regard to the national guidelines, Sustainable Residential Development in Urban Area and Design Manual for Urban Roads and Streets, the residential zoning (R) of the site, the policies and objectives of

the Galway City Development Plan 2017-2023 and the pattern of development in the area, it is considered that subject to compliance with the conditions as set out below the proposed development would not seriously injure the amenities of the area, the conservation objectives of any European Site and would be acceptable in terms of traffic safety and convenience. Therefore, the proposed development would 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, 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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of development, units 5 and 6 (House type 4(a)) shall be omitted and replaced with House type 4 and the cul-de-sac removed and integrated as open space into Unit 9, and details submitted for the written agreement of the Planning Authority.

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

3. Prior to commencement of development the applicant shall submit confirmation that land required for the provision of sightlines (as indicated in the lodged documentation) which shall be reserved free from development, for the written approval of the planning authority.

**Reason:** In order to ensure the provision of sightlines and in the interest of



proper planning and sustainable development.

4. 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.

5. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following: -

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for greenway, footpaths, kerbing and road surfaces within the development;
- (b) inclusion of a tree survey which shall include the retention of mature boundary along the west of the site, where appropriate with semi-mature replacement planting, and proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
- (c) details of proposed street furniture, including picnic area, bollards, lighting fixtures and seating;
- (d) provision of a 2m high block wall along the north east of the greenway (min of 77m from the north of the site) and inclusion of a details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.
- (e) inclusion of a temporary gate at the northern entrance/ exist onto the greenway and restriction of any barriers to the southern

entrance/exit onto the greenway.

The boundary treatment, landscaping and greenway shall be carried out in accordance with the agreed scheme.

**Reason:** In the interest of visual amenity

6. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

7. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

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

8. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that 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,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the planning authority, for the

recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to and include the mitigation measure in the Appropriate Assessment screening report, 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

10. 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.

11. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage

relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

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

12. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

13. 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

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Karen Hamilton  
Planning Inspector

02<sup>nd</sup> of October 2017