



An
Bord
Pleanála

Inspector's Report PL09.248860.

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| Development | 13 dwellings, a site entrance and all associated site works. |
| Location | Two Mile House, Naas, County Kildare. |
| Planning Authority | Kildare County Council. |
| Planning Authority Reg. Ref. | 16/645. |
| Applicants | J.P. Quinn and Sons Ltd. |
| Type of Application | Permission. |
| Planning Authority Decision | Permission with conditions. |
| Type of Appeal | Third Party |
| Appellant | Stuart Dowzer. |
| Observers | None. |
| Date of Site Inspection | 27 th September 2017. |
| Inspector | Derek Daly. |

1.0 Site Location and Description

- 1.1. The appeal site is located in the village of Two Mile House a village off the R448 approximately 5 kilometres southwest of Naas, 5 kilometres northeast of Newbridge and 4 kilometres north of Kilcullen. The site is located on the southern side of the village and has frontage onto a local road which defines the site's eastern boundary. The road frontage is located within the 50kph speed limit zone. The site is currently in agricultural use.
- 1.2. The site is irregular in configuration and has a stated area of 2.097 hectares. A public road defines part of the site's eastern boundary and in addition part of the site's eastern boundary adjoins a dwelling in the southeastern corner which also has frontage onto the local road. The remaining boundaries adjoin open lands but the northwestern corner also adjoins existing residential development. There are vacant lands between the site and parts of the northern boundary and these land in turn to the north adjoining residential development fronting onto the main local road passing through the village.
- 1.3. The land to the north and northeast of the site is relatively elevated and within the appeal site there is a gentle fall in level in a northeast to south westerly direction.
- 1.4. The pattern of development in the village is one of detached dwellings on large sites in relatively small housing developments off the local road network and also fronting the local road network. There is a residential development off the local road located on the opposite eastern side of the local road with a public footpath adjoining the road running northwards into the village and the national school located at the crossroads in the village. The village has a school, a church a licenced premises, shop and post office.

2.0 Proposed Development

- 2.1. The proposed development as submitted initially to the planning authority on the 21st of June 2016 was for thirteen detached dwellings consisting to nine, four bedroom dwellings one and half stories in design with a single storey extension to the side and four three bedroomed dwellings which are one a half storey in design.

- 2.1.1. The dwellings of which there are three house types are of a modern design and construction and relatively large in floor area, 268m² for the 4 bedroom units and 254m² for the 3 bedroom units. The dwellings are approximately 7250mm in height. Each of the individual sites has private open space to the front and the rear.
- 2.1.2. The proposal provided for the provision of a new site entrance to serve the proposed development from the local road. The internal layout provided for the siting of the dwellings around the perimeter of the site with a central spine road and internal loop road serving the individual houses. Open space is largely located centrally on the site with two smaller areas at the southeastern corner and also between two dwellings on the southwestern boundary. The two smaller spaces adjoining lands to the south and west of the appeal site in the ownership of the applicant provide for future access to adjoining lands and may therefore not be public open space in the long term. All the open areas are overlooked by the proposed dwellings. A design statement was submitted with the application.
- 2.1.3. It is proposed to connect into a private waste water treatment plant and to lay sewers from the site to the WWTP. Connection to this WWTP is contingent on upgrading of this treatment plant. A heads of agreement in relation to this connection is submitted.
- 2.1.4. As part of the submission in addition to drawings and design statement; a planning report and drainage design calculations in relation to the foul water system, storm water system, attenuation of storm water and watermain details were submitted.
- 2.2. Further information was submitted on the 18th of May 2017.
 - 2.2.1. The proposals submitted provide for a revised site layout including alternations to the internal road layout including provision for in the future accessing of adjacent lands and also in relation to a relocation of dwellings. The layout provides for an internal spine service road layout with four cul de sacs off this road to serve the dwelling units. The dwelling units with the exception of site 2 adjoin the perimeter of the site.
 - 2.2.2. The layout provides for dwelling units in clusters of between 2 and 4 units off the cul de sacs are more clustered with the exception of unit one which has direct access to the main internal road. Public open space is revised providing for a single area running southwards from the main service road southwards to the site boundary.
 - 2.2.3. There is an alteration in the housing mix to provide for four 3 bedroomed houses; three 4 bedroomed houses and six 5 bedroomed houses.

- 2.2.4. A revised design statement was submitted outlining the rationale to the layout.
- 2.2.5. Revised site sections.
- 2.2.6. Revised boundary treatments and landscaping.
- 2.2.7. Revised details in relation to services in particular foul and surface water drainage and sightlines at the entrance to the public road.

3.0 Planning Authority Decision.

3.1. Decision

The decision of the planning authority was to grant planning permission subject to 37 conditions.

Conditions of note;

- Condition no. 2 is an occupancy condition in relation to 6 of the proposed dwellings in accordance with VRS3 of the County Development Plan.
- Conditions nos 18 to 27 relate to provision of drainage services. Conditions 18, 26 and 27 relate specifically to connection to a private sewer which will service the development.
- Condition no 36 relates to the payment of a bond.
- Condition no. 37 relates to contributions on accordance with the DCS.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated the 15th of August 2016 refers to;

- The planning history.
- Submissions received.
- Policy provisions.
- An assessment of the issues in particular design and layout; provision for local people, a revision of the public open space layout; boundary treatments

in particular internal boundaries between sites and matters raised in other reports.

- Further information was recommended.

The planning report dated the 3rd of July 2017 in response to the further information comments in relation to submission, considers the revised proposals acceptable and recommends planning permission.

3.2.2. Other Technical Reports

The water services report dated the 11th of August 2016 requested further information and clarifications in relation to a range of matters.

The environment section report dated the 12th of August 2016 refers to the development being dependent on the provision of the private WWTP.

The transportation report dated the 11th of August 2016 requested further information in relation to sightline visibility at the entrance to the public road.

The water services report dated the 14th of June 2017 in relation to the further information indicates no objection and recommends conditions.

The transportation report dated the 14th of June 2017 in relation to the further information indicates no objection and recommends conditions.

The environment section report dated the 19th of June 2017 in relation to the further information indicates no objection and recommends conditions.

The area engineer report dated the 22nd of June 2017 in relation to the further information indicates no objection and recommends conditions.

3.3. Other submissions.

A number of submissions were received raising concerns in relation to the development, its design; impact of traffic; impacts on local infrastructure; prematurity pending the determination of a planning application for the private WWTP and impact on the amenities of the area and village. A number of submissions in response to the further information submitted considered matters raised in the initial submissions were addressed though not all submissions were of that view.

4.0 Planning History

4.1. Particular to the appeal site.

P.A. Ref. No 10/1127.

An application for 16 dwellings on the site was withdrawn.

P.A Ref. No. 07/2990.

Permission was refused for 13 dwellings on the site.

P.A Ref. No. 04/533.

Permission was refused for 46 dwellings on the site.

4.2. Other lands relevant to the appeal site.

P.A. Ref. No 16/438.

Permission granted on the 9th of March 2017 for a sand polishing filter adjacent to an existing WWTP. This WWTP will accept foul effluent from the proposed development.

5.0 Policy Context

5.1. Guidance for Planning Authorities Sustainable Residential Development in Urban Areas (Cities Towns and Villages) May 2009.

5.1.1. The objective of the guidelines is produce high quality sustainable developments. The guidance relates to all levels of settlements and are accompanied by a best practice Design Manual. There is provision for the preparation of plans at a village scale which should be integrated into statutory plans.

5.1.2. The guidance set out the importance of design and context and criteria which should be addressing the preparation and assessment of residential development including scale of development relative to the settlement and also design statements outlining the rationale of new development.

5.1.3. Chapter 6 of the Guidelines focusses on small towns and villages, to offering alternatives to urban generated housing, to appropriate scale of development in smaller settlements; that no one proposal for residential development should

increase the existing housing stock by more than 10-15% within the lifetime of the development plan or local area plan and for villages of under 400 in population, any individual scheme for new housing should not be larger than about 10-12 units due to an absence of a sufficiently developed local infrastructure such as schools and community facilities to cater for development

5.2. Development Plan

5.2.1. Kildare County Development Plan 2017-2023.

Volume 1 Chapter 3 of the plan relates to settlement strategy and sets out a hierarchy of settlements throughout the county from large towns to rural nodes. There is a category of settlements referred to as rural settlements and Two Mile House is a designated Rural Settlement.

5.2.2. Section 3.4.5 of the plan refers to the role of Rural Settlements and Rural Nodes and it is indicated that *“Rural Settlements and Rural Nodes are located throughout the county. It is proposed that settlements will develop as local centres for rural catchments with growth appropriate to cater for local demand. Lower densities will be encouraged in appropriate locations to provide alternatives to one-off rural dwellings in the immediate rural area. Expansion will be controlled to minimise pressure on services, the environment and unsustainable commuting patterns. Rural Settlements have a higher order function than Rural Nodes”*. *“The planning framework for future development of the rural settlements is detailed in Volume 2, Section 2”*.

5.2.3. Development management standards are referred to in chapter 17 volume 1 of the plan.

5.2.4. Volume two of the plan refers to villages and rural settlements the lower tiers of the settlement hierarchy. Rural Settlements are located throughout the county. The provisions largely follow national guidance as outlined in section 5.1 of the report.

5.2.5. It is indicated in section 2.3 that *“these settlements will develop as local centres for their rural catchments with growth appropriate to cater for local demand. Expansion will be controlled to minimise pressure on services, the environment and unsustainable commuting patterns. Each of the 18 no. Rural Settlements is subject to a development strategy (refer to Section 2.6). Each settlement strategy comprises*

a settlement core, existing built up area, settlement expansion area and a settlement boundary. The lands within the defined settlement boundaries do not constitute zoned land”.

5.2.6. In section 2.4 policies in relation to rural settlements are outlined including;

- **VRS 3** to facilitate sustainable population growth in the identified Rural Settlements with growth levels of up to 20% over the Plan period to cater primarily for local demands. Local demand for rural settlements is defined as persons residing for a period of 5 years within a 10km radius of the site. ‘Primarily for local demand’ shall be defined as being in excess of 50% of the overall development.
- **VRS 5** to develop lands in both the villages and settlements sequentially.
- **VRS 6** to generally control the scale of individual development proposals to 10-15% of the existing housing stock of any village or settlement over the lifetime of the Plan in accordance with the Sustainable Residential Development in Urban Areas Guidelines (2009). In rural settlements new housing schemes should not be larger than 15 units.
- **VRS 8** refers to submission of a design statement for developments in excess of 10 dwellings and what should form part of the design statement.
- **VRS 9** refers to the submission of a social infrastructure for schemes in excess of 10 dwellings.

Section 2.6 outlines the overall strategy for the settlements and table 2.7 sets out requirements in relation to core areas and areas for expansion

Map Ref: V2-2.3 refers to Two Mile House and the appeal site is designated as an of settlement expansion SE2 3.6 Hectares.

6.0 The Appeal

6.1. Grounds of Appeal

The appellant in the grounds of appeal refers to;

- The appellant owns a dwelling adjacent to the northern boundary of the proposed development.
- Reference is made to issues of road safety and whether matters which arose in a previous application are addressed.
- The discharge of effluent to the treatment plant is raised and the issues of assimilative capacity. Reference is made to the prematurity of the development pending the determination of a planning application has been granted.
- Reference is made to the Kildare County Development Plan and the designation of Two Mile House as a rural settlement and that generally individual housing schemes will generally not be larger than 10 to 12 units. The current proposal is for 13 units. The proposal also includes provision for future development and the proposal is contrary to the provisions of the current CDP.
- The finished floor levels appear to be in excess of the topographical requirements of the site. In effect the houses are above ground level and reference is made specifically to dwelling 12 in this regard. A large area of roof surface of the proposed dwellings will be dominant.
- There is a lack of diversity and variety of house types proposed and this is contrary to the provisions of the CDP.
- There is no indication of how agricultural lands in the ownership is accessed.

6.2. Applicant Response

The applicant in a response to the grounds of appeal refers to;

- The issues in the grounds of appeal refers to matters raised and addressed in the course of the application to the planning authority.
- The issue of road safety was addressed by the roads authority; further information was sought and details submitted and the planning authority recommended permission and including conditions.
- Planning permission was granted for a new sand polishing filter at the treatment plant.

- The development is for 13 units which exceeds 10-12 stated in the KCDP but the number stated is not a rigid guideline.
- The provision of a high quality design and layout is paramount.
- The village of Two Mile House has established community structures and in this context the village has the community infrastructure to cater for one additional house over the 12 limit.
- The finished floor levels of houses are a direct consequence of the need to ensure drainage services work in respect of gravity flow.
- There is no statutory requirement to provide only single storey dwellings.
- In a scheme of 13 dwellings there is a limit to the level of diversity which can be provided and the variations as provided are reasonable.
- The applicant can access agricultural lands though an agreement with a third party.
- There are limited views of the site from the surrounding area and similar developments in the area indicate as screening matures this screening is significant.
- The site complies with the provisions of the plan. Any future expansion will be the subject of future assessment by the council.

6.3. **Planning Authority Response.**

The planning authority indicated that they had no comment other than requesting the Board to refer to their internal reports.

7.0 **Assessment**

7.1. The proposal as submitted is for 13 dwellings, a site entrance and all associated site works. I propose to consider the appeal initially in relation to policy and then matters specific to the site and details relating to proposal as submitted. In relation to the assessment I will largely address the revised details as submitted to the planning authority on the 18th of May 2017.

7.2. Policy

- 7.2.1. In section 5 of this report I have outlined main provisions of the current Kildare County Development Plan 2017-2013 relating to this development.
- 7.2.2. In volume 1 of the plan a settlement strategy and hierarchy for the county is outlined identifying various tiers of settlements in a hierarchy based on scale and function and the approach as set out is I consider reasonable.
- 7.2.3. Two Mile House is identified as a rural settlement the second lowest tier in the hierarchy based on population and the social infrastructure supporting it and the surrounding area.
- 7.2.4. There are specific provisions in the plan in particular in sections 2.3 to 2.6 of volume 2 in relation to the future expansion of rural settlements and modest incremental growth with an avoidance of major large scale development at variance with the social infrastructure and avoidance of pressure on the current infrastructure. This approach is a reasonable approach.
- 7.2.5. Specific to Two Mile House, in volume 2 of the plan which refers to lower tier of settlements, the appeal site is designated as an of settlement expansion SE2 3.6 Hectares in Map Ref: V2-2.3. The development of the site for residential development is, therefore, in principle acceptable. The issue to be considered is whether the development complies with policies and provisions in relation to rural settlements as set out in the written statement. These are set out in section 3.4.5 of volume 1 and in volume 2 of the plan.
- 7.2.6. Essentially expansion of the rural settlements is to develop these settlements as local centres for rural catchments with growth appropriate to cater for local demand with the encouragement of lower densities to provide alternatives to one-off rural dwellings in the immediate rural area. The proposed development meets this requirement.
- 7.2.7. In relation to policies in relation to rural settlements these are outlined in section 2.4 and details were submitted as required by;
- Policy VRS 3 to facilitate sustainable population growth to cater primarily for local demand;
 - To develop lands in both the villages and settlements sequentially as required by VRS 5; to generally control the scale of individual development proposals

to 10-15% of the existing housing stock of any village or settlement over the lifetime of the Plan in accordance with the Sustainable Residential Development in Urban Areas Guidelines (2009).

- In rural settlements new housing schemes should not be larger than 15 units under the guidance and 13 are proposed.
- Design statements and a social infrastructure submissions were submitted are referred to in policies VRS 8 and VRS 9 refers to the submission of a social infrastructure for schemes in excess of 10 dwellings.

7.2.8. In overall terms the proposed development provides for the incremental growth of the settlement in accordance with the stated expansion of the village and at a scale and density appropriate to the stated requirements for the growth of rural settlements. The development I consider complies with the overall stated policy set out in the county settlement strategy and for Two Mile House and the provisions as set out in national guidance which are set out in the statutory development plan. I consider in the context of the provisions of the development plan that a condition restricting a number of units to comply with policy VRS 3 to facilitate sustainable population growth to cater primarily for local demand as outlined in condition no 2 of the planning authority's decision is reasonable in the context of the plan and also national guidance.

7.3. Site specific considerations.

7.3.1. Design and layout.

As indicated the assessment will focus on the revised details as submitted to the planning authority on the 18th of May 2017.

The layout provides for an internal spine service road layout with four cul de sacs off this road to serve the dwelling units. The dwelling units with the exception of site 2 adjoin the perimeter of the site. The layout provides for dwelling units in clusters of between 2 and 4 units off the cul de sacs are more clustered with the exception of unit one which has direct access to the main internal road.

Public open space is revised providing for a single area running southwards from the main service road southwards to the site boundary overlooked by the proposed dwellings.

The layout provides for possible access to adjoining lands to the south and west of the appeal site in the ownership of the applicant and this possible route will pass through the area of public open space.

A design statement was submitted with the application outlining the rationale to the development in the context of the site and surrounding area.

In relation to the layout the development the layout provides for detached dwellings which is the dominant pattern of the development in Two Mile House. In the village there are dwellings fronting onto the public road network and also in residential estates consisting of cul de sacs developments off the public road network. The current proposal is therefore in keeping with this pattern of development and conforms with the overall strategy for new development in the village.

There is an alteration in the housing mix to provide for four 3 bedroomed houses; three 4 bedroomed houses and six 5 bedroomed houses in an overall development of 13 units which I consider is reasonable in the context of the scale of the development.

The areas of the individual sites vary but each site has open space to the front, rear and both sides. In relation to rear areas there is no uniformity in depth but a depth of in excess of a minimum of 11 metres is generally proposed from the nearest section of the rear building line to an external site boundary and this depth in most sites is greater. It is also noted that dwellings on adjoining lands are detached dwellings on larger sites with large rear gardens.

The scale and placement of public open space areas is satisfactory.

There is reasonable provision for internal pedestrian circulation within the development and avoidance of conflict with vehicular movements.

I would have no objections to the layout as proposed.

7.3.2. Transportation.

The internal road is initially 6 metres in width decreasing to 5.5 metres in the cul de sacs. There is provision for an internal 2 metre footpath serving all of the dwellings and there is provision for a public footpath along the sites public road frontage. It is noted that there is an existing public footpath on the eastern side of the public road up to the cross roads in the village. The site location is within the 50kph speed limit

area and a drawing submitted 5090-P306 Rev No C received by the planning authority on the 18th of May 2017 indicates sightline visibility of 49 metres in both directions which in the context of the road network and location is satisfactory.

In overall terms the proposals in relation to pedestrian and vehicular movements internally within the site and provision for links external of the site are I consider satisfactory given the nature of adjoining development. Permeability with adjoining lands is restricted due to the pattern of existing development.

7.3.3. Services.

In relation to water supply, it is proposed to connect to the public mains and no issues arise in this regard.

In relation to storm water drainage design calculations were submitted and the layout of the storm water system were submitted. Having calculated impermeable areas and considered run off rates including periods of intensive rainfall it is proposed to construct subsurface chambers sized to meet anticipated runoff to provide for attenuation prior to discharge to a watercourse. Silt traps and interceptors for hydrocarbons form part of the overall design. I have no objections to the proposals as submitted.

In relation to foul drainage design calculations were submitted and the layout of the storm water system were also submitted. It is then proposed to discharge the effluent to an off site private WWTP in the northern area of the village. In relation to the WWTP issues have arisen in relation to the assimilative capacity of receiving waters for this plant. To address this the owner of the plant applied for and was granted planning permission for or a sand polishing filter adjacent to the existing WWTP.

Permission was granted on the 9th of March 2017 for the sand polishing filter adjacent to an existing WWTP under P.A. Ref. No 16/438 subject to 8 conditions. With the upgrading as permitted the WWTP will be capable of accepting foul effluent from the proposed development. As part of the documentation the agreement in relation to discharging to the WWTP was submitted. No objections to the proposal arises from the water services department and Irish Water were involved in the discussions regarding the upgrading of the plant.

The upgrading of the WWTP is a necessary requirement for the current proposal to proceed and conditions requiring this would be necessary as part of a decision to

grant permission. Other than this issue I would have no objections to the details as submitted.

7.3.4. Impact on adjoining lands.

The proposed development is located to the rear of existing residential development composed of detached dwellings on large sites. The development owing to topography is lower than the residential development to the north and east. The individual dwellings have rear gardens in excess of 11 metres but there are separation distances of in excess of 30 metres between existing and proposed dwellings.

The dwellings are one and a half storied in design. In relation to overlooking there is a single bedroom window on the rear elevation of the dwellings. The most direct impact from this aspect of the design on existing residential development arises in relation to site no 10 but given the distance between rear elevations and the fall in levels significant impact on residential amenities do not I consider arise.

Reference is made to the finished floor level of the individual dwellings but the levels are largely in keeping with the site levels and are not raised by recontouring of site levels. In relation to site boundaries along boundaries common to existing residential properties the existing hedgerow is supplemented with additional planting and on other boundaries masonry walls are proposed. I would have no objections to the proposals as submitted.

8.0 Recommendation

8.1. I recommend that permission be granted.

9.0 Reasons and Considerations

Having regard to the site's location, the pattern of development in the immediate vicinity of the site and the provisions of the Kildare County Development Plan 2017-2023 and the provisions as stated in particular in relation to the site and the settlement of Two Mile House; it is considered that the proposed development would contribute to the orderly and incremental growth of Two Mile House and 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 submitted on the 21st day of June 2016 and by the further plans and particulars received by An Bord Pleanála on the 18th day of May, 2017 and 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 interests of clarity.

2. This grant of permission is for a total of thirteen dwellings and six of these units shall be first occupied as a place of permanent residence for a period of seven years by persons who comply with the provisions as set out in accordance with VRS3 of the Kildare County Development Plan 2017-2023. Details in relation to procedures to comply with this condition shall be submitted to and agreed with planning authority prior to the commencement of site development works on the site.

Reason: In the interests of clarity and to secure in the interests or orderly development that the development complies with policy VRS3 of the Kildare County Development Plan 2017-2023 in meeting needs for local housing demand.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour shall be blue-black, black, dark brown or dark grey in colour only.

Reason: In the interest of visual amenity.

4. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

5. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority.

Reason: In the interest of pedestrian safety

6. 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.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

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

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

9. The open spaces shall be developed for, and devoted to public use. They shall be kept free of any development and shall not be incorporated into house plots.

Reason: In order to ensure the development of the public open space areas, and their continued use for this purpose.

10. 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 footpaths, kerbing and road surfaces within the development;

(b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;

(c) details of proposed boundary treatments at the perimeter of the site, and internally within the site including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme and shall include a timescale for implementation.

Reason: In the interest of visual amenity.

11. 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

12. All foul sewage and soiled water shall be discharged to the private foul sewer.

Reason: In the interest of public health.

13. No works shall take place until the applicant has obtained a signed agreement concerning the discharge of the foul sewerage to the private treatment plant and also a signed agreement for the discharge of surface water through adjoining lands in combination with a suitable wayleave

agreement.

Reason: In the interest of orderly development and to ensure the proper and satisfactory servicing of the development.

14. No works shall take place until the private plant is upgraded in accordance with the works as outlined in P.A. Planning Reference No 16/438 and that the running operations of the plant comply with the requirements of the planning authority.

Reason: In the interest of orderly development and to ensure the proper and satisfactory servicing of the development.

15. Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

16. The surface water drainage system shall be constructed in accordance with the details submitted and shall provide for an attenuation system as outlined which shall be installed and with provision for ongoing maintenance in accordance with the detailed requirements of the planning authority.

Reason: In the interest of orderly development and to ensure the proper and satisfactory servicing of the development.

17. 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.

18. 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 interest of sustainable waste management

19. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

20. 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.

.Derek Daly
Planning Inspector

10th October 2017