



An  
Bord  
Pleanála

## Inspector's Report

**PL 26.248931**

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<b>Development</b>	Change of use of shop units with apartments over to a restaurant with all associated site works.
<b>Location</b>	Walsheslough, Rosslare, County Wexford
<b>Planning Authority</b>	Wexford County Council
<b>Planning Authority Reg. Ref.</b>	20170614
<b>Applicant(s)</b>	Monigle Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	To Grant Permission subject to conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Maureen and John Dowling and Patrick Ryan Colette Gamble Ron Walsh Reginald and Liz Spelman and Brian and Orlagh Carolan
<b>Observer(s)</b>	No observers

**Date of Site Inspection**

13<sup>th</sup> October 2017

**Inspector**

Erika Casey

## 1.0 Site Location and Description

- 1.1. The subject site is located on Station Road in the centre of Rosslare Strand Village. The general character of development in the vicinity is mixed use, with commercial, retail and residential land uses predominating. There is a single storey dwelling immediately abutting the site to the north. To the west of the site, is a detached house. To the east, is a laneway that provides access to a dwelling located to the north. Opposite the site, there are a number of residential properties and a public house.
- 1.2. Commercial and retail uses proximate to the site include a pharmacy, post office, and Centra convenience store. There are further commercial and retail units located at the junction of Station Road and Strand Road. There is also public car park located approximately 40 metres from the site at this junction.
- 1.3. The site currently accommodates a two storey detached property with 2 no. retail units at ground floor level and 2 apartments at first floor. The building is set back from the public footpath by approximately 3.8 metres. The retail units have evidently been vacant for some time and the building has a dilapidated appearance.

## 2.0 Proposed Development

- 2.1. The proposed development seeks to amalgamate the two units at ground floor level and two apartments at first floor level into 1 overall unit and to change the use from retail to restaurant use. A small single storey extension with a floor area of 15.8 sq. metres is proposed at ground floor level to the east. This is to accommodate additional seating and customer toilets. The total area of the proposed restaurant at ground floor will be 88.1 sq. metres. At first floor level, storage and office space will be provided. The overall gross floor area of the unit will be 158.1 sq. metres. The site area is 166 sq. metres.
- 2.2. It is proposed to clad the front elevation of the building with vertical cladding boards. A new stone clad shop front is also proposed with associated signage and a new awning over the front entrance. The set back area to the front of the building is to be utilised as a new outdoor seating area. It is proposed to screen this space with new low rendered walls and glazed screens.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1 To Grant Permission subject to conditions. Conditions to note include:

**Condition 3:** No plant associated with the restaurant shall be sited to the north of the roof light on the proposed flat roof extension.

**Condition 4:** Before commencement of trading, details of the proposed extraction ventilation system to be agreed.

**Condition 8:** Opening hours restricted to 8.30 am to 12.00 midnight Monday to Saturday and on Sunday and Bank Holidays from 10.00 a.m. to 12.00 midnight.

**Condition 10:** No sign, symbol, nameplate or advertisement shall be erected on the proposed site without prior approval of the Planning Authority as to whether such development would constitute exempted development.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports (05.07.2017 and 06.07.2017)

- Normal opening hours and associated noise and odours from a restaurant would be more than that associated with a normal retail unit.
- Having regard to the existing uses on the site there is no shortfall in parking as a result of the proposed change of use. There is a public car park in close proximity to the site.
- The change of use will have little or no impact on traffic congestion experienced at the extremely busy nearby junction.
- Architectural approach is considered a modern and interesting intervention in the streetscape at this location.
- Retail units have been vacant for a considerable time and restaurant use would bring a welcome level of additional activity to the village centre.
- With normal mitigation measures there should be no significant impact on the amenities of nearby residences.

#### 3.2.2. Other Technical Reports

**County Architect (12.06.2017):** No part V obligation.

**Disability Access Officer (09.06.2017):** No comment.

**Chief Fire Officer (07.06.2017):** Fire safety certificate required.

### 3.3. **Prescribed Bodies**

- No reports received.

### 3.4. **Third Party Observations**

3.4.1 Third party observations were received from Reginald and Liz Spelman; Brian and Orlagh Carolan; Colette Gamble; Maureen and John Dowling and Patrick Ryan and Ron Walsh. Issues raised can be summarised as follows:

- Public car parking is deficient in Rosslare Strand particularly during peak Summer season and there is significant congestion in the village. The proposed development of a restaurant will exacerbate this problem.
- Concern that the development will offer a takeaway service with consequent impacts in terms of illegal short stay parking and potential negative impacts on residential amenity including noise, odour, anti-social behaviour and litter.
- Object to the proposed side extension and its potential impacts on the existing residential property to the rear in terms of loss of sunlight, amenities and views.
- The development is out of character with the village.

## 4.0 **Planning History**

### **Planning Application Reference 20044591**

Permission granted in January 2005 for a development comprising the refurbishment and extension to existing two shops and two apartments. The development comprised two new traditional shop fronts and the refurbishment of two apartments. over. The development also included the re-roofing of the existing building with matching pitches and hip features at front with bull eye window to attic. Elevational amendments included the introduction of a red brick panel and re-plastering with decorative finishes and colour. This development was not implemented.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1 The operative Development Plan is the Wexford County Development Plan 2013 – 2019. Policies of relevance include:

#### **Objective ED37**

*“On primary retail streets permission will be favourably considered for banks and other professional services, office uses, restaurants, bars, off licenses, takeaways and other cultural uses provided:*

*i) The proposals would not individually or cumulatively cause demonstrable harm to the function, character or appearance of the street concerned or to the town centre as a whole.*

*ii) There would be no significant loss of residential accommodation at upper floor levels. While residential use is the preferred use upstairs it is accepted that it is not always possible to accommodate appropriate units in these buildings. Therefore other commercial uses will be considered but the Planning Authority will have regard to the amount of residential uses retained in the area to ensure that a balance of residential and commercial uses are maintained in the town centre. The use, taken together with existing or permitted uses would not result in an unacceptable multiplicity of such uses in any one area.”*

#### **Objective TM16**

*“To improve the visual appearance of towns and villages, protect their inherent character and maximise their tourism potential by the continuance of environmental schemes, design control and the removal/improving dereliction.”*

### **18.14 Infill and Backland Sites in Towns and Villages**

*“The Council will generally facilitate well-designed developments on infill and backland type sites, particularly when such developments bring into use derelict sites. Each case will be considered on its merits having regard to the site’s context and having regard to the following:*

- *The design and finish of the development need not necessarily replicate or imitate the design and finish of the existing dwelling/building; contemporary designs and finishes will be facilitated.*

### **18.29.7 Car Parking Standards**

*“In dealing with planning applications for change of use or for replacement buildings, allowance will be made for the former site use in calculating the car parking requirements generated by the new development as extra.”*

5.1.2 Objectives for Rosslare Strand include:

#### **Objective RSO01**

*“To protect and enhance the distinctive character of Rosslare Strand.”*

#### **Objective RSO03**

*“To ensure Rosslare Strand maintains and enhances its role as an important local service centre for its residents and the surrounding rural hinterland whilst maintaining sustainable communities and ensuring a good quality environment.”*

#### **Objective RSO04**

*“To ensure Rosslare Strand maintains and enhances its role as a valuable tourism destination in the county and to facilitate the development of appropriate tourism facilities, subject to normal planning and environment criteria and the development management standards contained in Chapter 18.”*

#### **Objective RSO11**

*“To encourage the provision of appropriate retail services and additional social and communities facilities in the village to serve the resident population, surrounding rural hinterland and visitors, subject to normal planning and environment criteria and the development management standards contained in Chapter 18.”*

## **5.2. Natural Heritage Designations**

5.2.1 Wexford Harbour and Slobbs SPA is located approximately 1km to the west of the site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1 Third party appeals have been lodged by 4 parties: Maureen and John Dowling and Patrick Ryan; Colette Gamble; Reginald and Liz Spelman and Brian and Orlagh Carolan and Ron Walsh. Issues raised can be summarised as follows:

#### **Principle of Development**

- The proposed development is for a takeaway and not a restaurant as described in the application. The internal floor plans indicate minimal seating and a large takeaway counter. The applicant is a well know fish and chip operator in the County. Takeaway use is incompatible with surrounding residential uses.
- The development will result in the loss of residential units in the town centre and is thus contrary to the requirements of Objective ED37 of the County Plan.
- There are sufficient cafes and restaurants in the village.
- The proposed development includes a gas cylinder storage area that infringes on adjacent property.

#### **Traffic and Parking**

- Development is likely to offer a takeaway service which would lead to an increase in demand for parking. Short term parking associated with customers picking up take away goods would result in illegal parking, traffic congestion and inconvenience to residents. The existing public car park in the village is insufficient to cater for such additional demand.
- The development will exacerbate existing problems of congestion and traffic management in the village.

#### **Impact on Residential Amenities**

- The site is located on a secondary route, peripheral to the town core and is surrounded by residential development.
- The development will have an adverse impact on the residential amenities of adjacent properties.



- The development will result in unacceptable noise impacts due to plant location. Concerns also raised regarding potential noise emanating from proposed outdoor seating area and late night opening hours.
- The development will have adverse impacts in terms of odour, litter and potential antisocial behaviour.
- The development will have a negative impact on the existing residential property abutting the proposal to the north in terms of loss of sunlight, particularly to the front porch, sense of isolation caused by being walled in by proposed extension, loss of security, health and hygiene concerns, noise, odour and loss of property value.

### **Design**

- The proposed development will cause demonstrable harm to the character of the street due to its inappropriate design.
- The scale, bulk, design, form and choice of materials conflicts with the established pattern of development in the vicinity. Inadequate details submitted with the application regarding the proposed cladding material.
- The existing building blends into the existing urban fabric. The proposed redesign of the building and the use of timber cladding will render the building visually prominent. The building will appear monolithic and thus incongruous with the surrounding context. The development is inappropriate and will diminish the integrity of the established architectural vernacular.

### **6.2. Applicant Response**

- The applicant is an established family business (over 50 years) and experienced service provider who intends to operate the facility as a table service seated restaurant.
- The appellant's submission that the premises is to be used as a takeaway is conjecture. The layout clearly indicates a restaurant use with tables, chairs and customer toilets. The applicant is bound to the description of the development in the public notices.

- The development is located in Rosslare Strand which relies heavily on tourism. The objectives of the County Plan support the provision of services necessary to sustain the existing population and visitors.
- Retail use at this location has proven not to be viable. The ongoing vacancy and poor presentation of the property detracts from the ambience of the village core.
- The site is located within the central business district of the village. The village centre is the most appropriate location for commercial development. Policy ED37 notes that it is not always possible to appropriately accommodate residential development above commercial ground floor development. The proposal to convert the use of the studio and 1 bed apartments at 1<sup>st</sup> floor to ancillary restaurant use does not conflict with the provisions of the Development Plan.
- The architectural approach is intended to address the asymmetrical and non-integrated presentation of the existing building. The proposed cladding is intended to be 'seaside' in character and is a natural and interesting solution to improving the elevation of the building. Applicant agreeable to a condition being attached that the detail of the cladding material be agreed with the Planning Authority.
- Car parking is already a significant issue in the village centre. The proposed development will not give rise to any additional parking demand over the existing commercial and residential use established on the site. The site is located in close proximity to a public car park.
- The village centre is the most appropriate location to locate a commercial development such as a restaurant. It is a suitable use, and if properly regulated would add to the range of services available within the village. Its proximity to the beach means that many patrons are likely to be by foot.
- In terms of infringement to a neighbouring property, An Bord Pleanála is not a property arbitration body and a grant of permission would not give a right to the developer to locate any part of the development outside the area under the control or ownership of the developer exercising the planning permission.

- Revised drawing submitted with response indicating revised location of gas cylinder enclosure ensuring no encroachment on any adjoining property. Revised drawing also indicates how sightlines can be achieved from residents exiting the adjacent laneway.
- In terms of potential impacts of the proposed extension on the abutting property to the north, it is submitted that due to the orientation of this dwelling there is excellent afternoon and evening sun to the rear of this property. The extension will have no material impact on the residential amenities of this adjoining dwelling.
- In terms of odour and noise, the kitchen will be vented within the site at first floor level with the outlet angled up to direct any exhaust air upwards. The fans use in the extraction system are low noise and are isolated to minimise reverberation noise. Operation of extraction systems is controlled and monitored by the Environmental Health Officers of the Planning Authority. Revised details submitted indicating the location of the extraction system.
- In terms of noise emanating from the restaurant, it is detailed that a properly operated restaurant will not add significantly to the level of noise in the resort village in the Summertime high season.

### 6.3. **Planning Authority Response**

- The Planning Authority has no further comment on the appeals.

### 6.4. **Observations**

- No observations received.

### 6.5. **Further Responses**

#### **Wexford County Council (12.10.2017)**

- No further comment

#### **Ron Walsh (03.10.2017)**

- There are a number of residential properties in the vicinity of the site. Late night opening may attract anti-social behaviour.

- The existing site is not served by 7 no. car parking spaces. Concerns raised regarding potential short term parking by patrons using the development. States that development will exacerbate existing traffic problems and additional activity not required in the village.

**Maureen and John Dowling and Patrick Ryan (10.10.2017)**

- The operator of the restaurant runs fast food restaurants in Wexford Town and it is reasonable to assume that the proposed development will operate on the same basis.
- Residential properties surround the development and concerns are raised regarding impacts caused by additional traffic and parking congestion.
- Additional activity generated will not be a welcome addition for residents. There is adequate commercial activity in the village.

**Colette Gamble (09.10.2017)**

- Concern regarding 2 storey element of the development adjacent to property boundary with dwelling located to the north in terms of visual impact.
- Objects to potential loss of sunlight.

## 7.0 **Assessment**

7.1 The main issues are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development
- Traffic and Parking
- Impact on Residential Amenities
- Design
- Appropriate Assessment

## 7.2 **Principle of Development**

7.2.1 The subject site comprises an existing retail and residential property in the core of Rosslare Strand Village. Commercial and retail activity within the village is clustered

at the junction of Station Road and Strand Road and the subject site is located in immediate proximity to these established uses. It is also noted that the property itself has an established retail use at ground floor level.

- 7.2.2 Rosslare Strand is an important tourism destination. The Wexford County Development Plan encourages uses such as restaurants on the primary retail streets. It is considered that the proposed restaurant development would contribute to and enhance the overall retail and service role of the village and add to its tourism offering.
- 7.2.3 It is also noted that the retail units have been vacant for some time, have a dilapidated appearance and detract from the visual amenities of the village centre. It is considered that a restaurant at this location is an appropriate use for these vacant retail units and would contribute to the vitality and viability of the village centre, therefore enhancing its sustainability. Having regard to the location of the site and the character of development in the vicinity, it is considered that a restaurant use at this location is acceptable in principle.
- 7.2.4 Concerns have been raised by a number of the appellants that the restaurant will in fact be used as a takeaway. Whilst it is acknowledged that the restaurant may provide a minor ancillary element of takeaway use, this can only form a subsidiary part of the overall use. Any significant takeaway activity would require a separate planning permission for a change of use which would be considered on its own merit. In this regard, what is before the Board is a proposal for a restaurant use and it on this basis that the proposal must be considered in terms of its appropriateness at this location.
- 7.2.5 It is noted that the planning application drawings indicate an internal layout capable of accommodating a number of seating areas, as well as customer toilets and an external terrace for alfresco dining. In this regard, I am satisfied that the development is for a restaurant use and not a takeaway.
- 7.2.6 It is also asserted by one of the appellants that the proposed development is contrary to Objective ED37 of the County Plan as it will result in the loss of 2 no. residential units at first floor level. The proposed development will result in the loss of a studio and 1 bed apartment at first floor level.

- 7.2.7 Objective ED37 however, notes that there should be no significant loss of accommodation at upper floor levels. Having regard to the extent of residential development within Rosslare Strand Village, it is not considered that the loss of 2 no. apartments is significant. Furthermore, the plan acknowledges that it is not always possible to accommodate residential use at upper floor level and that other commercial uses will be considered having regard to the need to maintain a balance of residential and commercial uses in the town centre.
- 7.2.8 It is considered in this instance, having regard to the established commercial use of the building at ground floor level and the need to further enhance the retail and service role of Rosslare Strand Village, that a restaurant use at this location would enhance the overall land use mix, provide a better balance of uses and is thus not in conflict with Objective ED37.
- 7.2.9 Concerns have also been raised that the proposed gas cylinder storage area infringes on the property rights of an adjacent landowner. In response to this, the applicant has submitted a revised drawing indicating a revised location for this storage area. It is considered that this is acceptable.

### **7.3 Traffic and Parking**

- 7.3.1 All of the appellants raise concerns regarding the impact of the proposed change of use on car parking and traffic congestion in the village. It is acknowledged that Rosslare Strand Village attracts high level of tourists during the peak season with consequent difficulties in terms of parking and traffic congestion. It is considered however, that this is a wider issue associated with traffic management that is outside the scope of this assessment.
- 7.3.2 The question to consider is whether the proposed development would exacerbate this problem or cause congestion and parking difficulties in its own right.
- 7.3.3 In considering this, it must be noted that the current building on the site which accommodates retail and residential use is not served by any car parking. The proposed development will maintain the status quo and no additional parking is proposed. In any event, there is limited scope to provide for car parking to serve the development. It is a town centre site and is constrained. Whilst there is a set back area to the front of the existing unit, it is proposed that this will form an outdoor

terrace serving the restaurant. This is considered a more desirable use as it will create animation and passive surveillance of the existing street.

7.3.4 Under the current Development Plan parking standards of 1 space per 25 sq. metres, a total of 3 spaces would be required. It is considered however, that having regard to the fact that the existing building has an established commercial use, is not served by parking and is located within the prime village core, it is acceptable that no car parking is provided. The proximity of the development to a large public car park with over 40 spaces must also be considered. The Planning Authority had no objection to the proposal on the basis of car parking or traffic generation. I am satisfied that the development in its own right will not give rise to a significant intensification of use over the existing function of the building to warrant a refusal on the basis of inadequate car parking.

7.3.5 As set out by the applicant, the location of the site is the most appropriate for a commercial use such as this as it is located on one of the prime retail streets in the village and within walking distance of a large public car park. It is likely that the majority of the patrons of the restaurant will be people already visiting the village and nearby beach. It thus will not be a significant generator of traffic trips in its own right. Furthermore, a restaurant use would be more inclined towards evening operations and, therefore, the demand for parking would be less given that other retail and commercial units would have ceased trading after normal business hours thereby resulting in a reduced demand for parking.

7.3.6 The scale of the restaurant is also a consideration. It is noted that it is a modest facility with a floor area of just 88 sq. metres. Given its limited size, it is unlikely to generate a high demand for parking. As noted above, the majority of concerns regarding parking relate to the potential for short term parking associated with a takeaway use. As detailed in section 7.2 above, the proposed use to be considered in this instance is restaurant and not takeaway use, and, therefore, I am satisfied that the development would not generate excessive demand for short term parking.

## **7.4 Impact on Residential Amenities**

7.4.1 A number of objections to the proposed development relate to issues of noise, odour, litter and potential anti social behaviour. It is considered that given the limited size of the proposed restaurant and its village centre location that noise levels

associated with the restaurant use would be minimal. Concerns have been raised in particular regarding the outdoor seating area. It is noted, however, that this is a very limited area and will be screened by a low wall and glass screens which will mitigate noise emissions. It is considered that overall, the outdoor seating area will be a positive intervention to the streetscape and will provide additional animation and vitality to the street. Furthermore, its use is likely to be seasonal.

7.4.2 The Planning Authority included a condition limiting the opening hours of the restaurant to 24:00 hours. Taking into consideration the proposed operating hours of the restaurant and the village centre site context, I do not consider that neighbouring residential amenities would be adversely impacted and the proposal would not give rise to any material changes in ambient noise levels. In terms of potential impacts from odour, litter and extraction fans, I am satisfied that concerns raised in relation to these matters can be dealt with through appropriate conditions.

## **7.5 Design**

7.5.1 It is contended by the appellants that the scale, mass and design of the proposed development is inappropriate and out of context with the existing village. As noted by the applicant, the proposed development relates to an established building and, therefore, the scale, height and mass of the building are already established. The primary impacts to be considered are the proposed small extension to the east and the recladding of the building with vertical boards.

7.5.2 In terms of the architectural treatment, I would concur with the assessment of the Planning Authority that the proposal to amend the elevations by re-cladding is an innovative architectural solution to a building that currently has very limited architectural quality or appeal. The existing building, with its asymmetrical façade, vacant ground floor units and dilapidated appearance, clearly detracts from the village centre.

7.5.3 The current County Development Plan actively encourages the removal of dereliction and notes that contemporary designs and finishes will be facilitated. The subject site is located within an area characterised by mixed uses with varying styles of architecture and design. It is not a conservation area nor are there any protected structures in the vicinity. It is considered that there is no particular established architectural character. In this regard, I am satisfied that the proposed modifications



to the elevations of the building are appropriate. They will enhance the visual appearance of the building and will ensure the sustainable reuse of a derelict building within the prime commercial core. Concerns raised regarding the exact nature and treatment of the elevational detail can be addressed by way of appropriate condition.

7.5.4 In terms of impacts to the existing dwelling abutting to the site to the north, it is noted that the proposed extension to the east extends by approximately 3 metres from the existing building. It has a limited area of c. 15 sq. metres and is necessary to provide additional seating and customer toilets to serve the proposed restaurant use. The proposed extension presents as a single storey element where abuts the boundary of the existing dwelling to the north. This dwelling is served by a limited front garden and concerns have been raised regarding the impact of the development on this amenity space and the existing porch. I am satisfied having regard to the extent of the extension that it will not give rise to material impacts on the amenity of the adjacent dwelling. Furthermore, the regeneration of this long vacant building for active use will have positive benefits for the area including enhanced passive surveillance of the street and adjacent laneway.

## 7.6 **Appropriate Assessment**

7.6.1 Having regard to the nature and scale of the proposed development, a change of use of an existing building within an established and fully serviced urban area, and its distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 **Recommendation**

8.1. It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

## 9.0 **Reasons and Considerations**

9.1. Having regard to the provisions of the current Wexford County Development Plan 2013-2019, the location of the site in the established village core and to the nature and design of the proposed development, it is considered that, subject to compliance

with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would be acceptable in terms of traffic and pedestrian safety and convenience. 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 as amended by the further plans and particulars submitted to An Bord Pleanála on the 22<sup>nd</sup> day of August 2017 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. The opening hours of the restaurant shall be restricted to closing not later than 24:00 hours Monday to Sunday. No ancillary food delivery or collection services shall operate from the premises after these closing times.

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

3. Details of signage including method of illumination shall be submitted to the Planning Authority and agreed in writing prior to the commencement of development.

**Reason:** To protect the visual amenities of the area.

4. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with,

the planning authority prior to commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

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

5. The developer shall control odour emissions from the premises in accordance with measures, including ducting, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health and to protect the amenities of the area.

6. A plan containing details for the management of waste/recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste/recyclable materials including waste oil and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste/recyclable materials in the interest of protecting the environment.

7. 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.

8. Details of the materials, colours and textures of all the external finishes to the proposed development, including the windows, canopies and doors, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

**Reason:** In the interest of the visual amenities of the area.

9. a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-

(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.

(ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component. At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

(b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

10. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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.

11. No additional development shall take place on the flat roof area of the extension, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

12. 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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**Erika Casey**

**Planning Inspector**

**17th October 2017**