



An
Bord
Pleanála

Inspector's Report ABP-300502-17

Development	Construction of 24 no. houses
Location	Site (c.0.6 hectares), Porterstown, Dublin 15
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW17A/0125
Applicant(s)	Castlethorn Construction Unlimited Company.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party
Appellant(s)	Porterstown Owners Management Company.
Observer(s)	None.
Date of Site Inspection	11 th April 2018.
Inspector	Karen Kenny

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1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Porterstown, Dublin 15. The site is approximately 3 kilometres south west of Blanchardstown Town Centre. It is located to the east of the Diswellstown Road and to the south of the Dublin – Sligo rail line.
- 1.2. The site (0.6 ha) is largely flat and square in shape and comprises vacant scrub lands. It is at the western end of a larger infill site of 1.9 hectares. The site is bounded by the Dublin – Sligo rail line to the north, the Riverwood development to the east (2 storey dwellings) and the Woodbrook development (3 / 4 storey apartment blocks) to the south.
- 1.3. The Diswellstown Road Overpass runs along the western site boundary. This bridge structure is elevated above the level of the site (by c. 11 metres) and sits on columns as it rises over the rail line and the canal to the north. Access to the site is from an existing roundabout on the Riverwood Road to the east. The site is c. 650 metres west of Coolmine Train Station and is within 900 metres walking distance of the station.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of 24 no. residential units in two three storey blocks as follows:
 - Block 01 comprises 6 no. three-bedroom duplex units and 6 no. two-bedroom duplex units.
 - Block 02 comprises 6 no. one bedroom apartments and 6 no. two-bedroom duplex units.
 - The blocks have a rectangular footprint with a pitched roof over and external stairs on the front elevation of the blocks provide access to upper level duplex units. Finishes include brick and render walls finishes and a tiled roof finish.
 - The blocks are laid out over an east – west axis and back onto one another with a separation of 23 metres between the blocks. Block 01 faces north,

while block 02 faces south. The area between the blocks forms a shared communal open space.

- The development is accessed via the development permitted under ABP Ref. PL06F.247088 and includes 41 no. car parking spaces, 24 no. bicycle spaces, an ESB substation, a bin store, attenuation tank and open space areas.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to 22 no. conditions. The following conditions are of note:

- Condition no. 16 requires a revised landscaping scheme.
- Condition no. 21 requires a special contribution towards the upgrade of play facilities in Riverwood Park.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's Report included the following considerations:

- Principle of development is considered acceptable.
- Noted that development forms part of a wider planning unit and density is considered across the entire site (inc. development approved under ABP Ref. PL06F.247088). The report notes that the density is below that recommended by the Sustainable Residential Development Guidelines, but that the density is considered to be acceptable.
- The overall layout and design of the development is considered to be generally acceptable and to be similar to that proposed under the previous application.
- It is noted that the development meets the residential standards set out in the Development Plan.
- It is considered that the cumulative figure of 64 no. residential units on the site falls below the threshold for provision of a childcare facility.

- Following the submission of further information in relation to issues that included temporary car parking, landscaping, noise attenuation and Part V provision it was considered that the development is acceptable.

3.2.2. Other Technical Reports

Water Services: No objection.
Transportation: No objection.
Parks: No objection subject to conditions.
Archaeology: No objection.
Environment: No objection.

3.3. Prescribed Bodies

Irish Water: No objection.
TII: An initial submission dated 1st August 2017 states that the authority considers that there is insufficient data to demonstrate that the proposed development would not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site. A further submission dated 9th November states that the authority has no observation to make.
Iarnrod Eireann: Submission outlines conditions for development along a rail line. Consider the 2.4-meter timber fence along the railway boundary to be inappropriate. A preference for a block wall is indicated.

3.4. Third Party Observations

- 3.4.1. A total of two third party submissions were received and considered by the Planning Authority. The issues raised in the submissions are similar to the issues raised in the grounds of appeal set out below.

4.0 Planning History

4.1. The following recent planning history relates to the appeal site:

ABP Ref. FL06F.247088 / P.A. Ref. FW15A/0174

Application on a 1.9 hectare site for 76 no. residential units comprising 40 no. two storey houses and 36 no. duplex / apartment units in three blocks that range in height from three to five storeys. Permission refused by the Planning Authority. The reasons for refusal related to the road design and restricted manoeuvrability, lack of car parking and lack of a childcare facility. This decision was subject to a first party appeal to An Bord Pleanála. An Bord Pleanála overturned the decision of the planning authority and granted permission for 40 no. houses. Condition no. 2 omitted the 36 no. duplex / apartment units in the western section of the site. The subject appeal relates to this section of the site.

4.1.1. The appeal site was also the subject of several planning permissions for mixed use developments granted between 1999 and 2005 as follows:

ABP Ref. F06F.208327 / P.A. Ref. F04A/0723

Application on a 3 hectare site for revisions to development permitted under P.A. Ref. F01A/1541 to consist of the development of 195 dwellings (net increase of 82 no. dwellings), a local services center (inc. public house / restaurant and supermarket) and a crèche. Permission granted by the Planning Authority. This decision was subject to a first and third party appeal to An Bord Pleanála. An Bord Pleanála upheld the decision of the planning authority and granted permission.

ABP Ref. F06F.130637 / P.A. Ref. F01A/1541

Application on a 3 hectare site for 145 dwellings, local services centre (inc. public house / restaurant and supermarket) and a crèche. Permission granted by the Planning Authority. This decision was subject to a first party appeal to An Bord Pleanála against conditions. An Bord Pleanála granted permission.

ABP Ref. 06F118037/ P.A. Ref. 99A/0659: Application for a development on a 14 hectare site for 356 dwellings, a distributor road and bridge over the Royal Canal and Sligo Railway line. The planning authority decision was upheld by the Board

following a third party appeal against the grant of permission and a first party appeal against conditions.

ABP Ref. 06F109429 / P.A. Ref. 98A/0878: Application for a development on a 16.1 hectare site for 274 dwellings and a nine-meter-wide north – south distributor road from Clonsilla Road to the existing distributor road network to the south, including a bridge over the Royal Canal and Sligo Railway line. The planning authority decision was upheld by the Board on appeal.

5.0 Policy Context

5.1. Government Guidelines

5.1.1. The following policy guidelines are relevant to the proposed development:

- Sustainable Residential Development in Urban Areas (2006).
- Urban Design Manual – A Best Practice Guide (May 2009).
- Design Manual for Urban Roads and Streets (2013).

5.2. Development Plan

5.2.1. The Fingal County Development Plan 2017-2023 is the relevant statutory plan. The following sections of the Fingal County Development Plan 2017-2023 are considered to be relevant:

- The site is zoned RS ‘Residential’ with an objective to ‘provide for residential development and protect and improve residential amenity’. Residential development is permitted in principle in this zone.
- Chapter 3 sets out Design Criteria for Residential Development including mix of dwellings, density and open space provision.
- Objective PM44: Encourage and promote the development of underutilised sites in existing residential areas subject to the protection of amenities, privacy and character.
- Chapter 12 sets out Development Management Standards for residential development including design criteria and quantitative standards relating to

dwelling size, separation standards, public and private open space provision, car parking, etc.

- Section 12.3 of the Plan sets out design criteria for urban development. Reference is made to guidelines published by the Department of Environment, Community and Local Government in respect of quality housing and sustainable residential development. It also refers to the Department of Transport's Design Manual for Urban Roads and Streets. Policy objectives PM31 to PM33 promote good urban design practices in accordance with these guidelines.
- With respect to residential densities, the Plan states that regard should be had to the government's guidelines (*Sustainable Residential Development in Urban Areas, Urban Design Manual*) and that higher densities are promoted at suitable locations such as along public transport corridors and in main town centres (objective PM41).
- Sheet No.13 Blanchardstown South: There is a Light Rail reservation within the site, running along the western site boundary and a Light Rail Stop shown in the north western corner of the site.

5.3. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A third party appeal has been received against the decision of the Planning Authority to grant permission. The grounds of appeal can be summarised as follows:

- The decision is based on insufficient grounds and incomplete information. The combined impact of the proposed development and the development approved under ABP Ref. PL06F.247088 has not been assessed. No response received from six of eight external consultees at time of decision.

Issues raised under the previous application have not been addressed and remain relevant.

- The development is inconsistent with the principles of sustainable development. TII states that there is insufficient data to demonstrate that the development will not have a detrimental impact on the capacity, safety and operational efficiency of the national road network. The development will add to traffic congestion. It takes up to 30 minutes during school term to exit the estate and get through the traffic lights at the roundabout at Scoil Choilm Community National School and Luttrellstown Community College. In the absence of a Traffic Impact Assessment the development is incompatible with Objective PM13 of the Development Plan and Sections 1.3 and 1.4 of the NRA's Traffic and Transport Assessment Guidelines.
- Spatial Planning and National Roads Guidelines require Planning Authorities to engage with applicants / agents to address negative impacts of development on national roads and require that the cost of upgrades are met by the developer. It is suggested that a one-way exit be provided onto the Diswellstown Road / Porterstown (Clonsilla) Road.
- Metro West and Porterstown Railway Station have been put on hold and there is a proposal to eliminate bus services no. 37 and 39. Rail and cars will be the only transportation options in the area.
- Objections in relation to the lack of childcare facilities are not addressed. This was raised at appeal stage in the Inspectors Report under ABP Ref. FL06F.247088 / P.A. Ref. FW15A/0174

6.2. Applicant Response

The applicant's response can be summarised as follows:

- Planning Authority assessment refers to the development in the context of the neighbouring permitted development to the east.
- The onus is on statutory consultees to respond to a Planning Authority within the prescribed timeframe.

- The concerns raised in relation to the impact on the capacity, safety and operational efficiency of the national road network, is based on an interpretation of traffic in the area and is not supported by empirical evidence. The reference to TII concerns fails to consider the more up to date TII submission which states that they have no observation to make.
- The Transport Assessment Guidelines (May 2014) sets a threshold of 200 dwellings for the preparation of a Traffic Impact Assessment. The proposed development (approved and proposed) falls below this threshold.
- The appeal response includes an Engineering Report prepared by Waterman Moylan Engineering Consultants that assesses potential traffic generation.
- Condition no. 22 of the notification to grant permission requires the payment of a development contribution towards public infrastructure and facilities. The applicants have also made significant investment in the local infrastructure, having previously built and part funded the adjacent Diswellstown Overpass.
- Fingal County Council are promoting use of sustainable means of transport and there are local amenities such as schools, employment sites and retail facilities within a 3 km radius of the site.
- Dublin Bus have confirmed that there is no plan to discontinue the 37 or 39 Bus Routes.
- Development Plan objective to “support TII in progressing the design of a light rail corridor that addresses the needs of Fingal, in particular the Blanchardstown area, with a view to securing permission from ABP”.
- The approved development on the adjoining lands, coupled with that proposed under the subject application is below the threshold for the provision of childcare facilities set out in the Childcare Facilities Guidelines for Planning Authorities (DoEHLG 2001).

6.3. Planning Authority Response

- The planning application was assessed with regard to the previously permitted development under FW15A/0174 and PL06F.247088. It is stated

within the Planning Officer's Report that 'this site cannot be taken in isolation as it is wholly dependent on the adjoining site'.

- It is not unusual for prescribed bodies not to respond if they have no objection / observation in relation to an application.
- The cumulative number of residential units on the site is below 75 units and as such a childcare facility is not required.
- In relation to TII's comments, they have confirmed to the Planning Authority that the first submission was sent in error and that given the location and quantum of development in this instance the issues raised were not relevant. A second letter received following receipt of further information indicated no observations.
- The Transport Section has no objection to the development subject to conditions and considers that all matters raised in the appeal were considered.
- The scale of development does not warrant a Traffic Impact Assessment. DMURS recognises that a certain level of car congestion is inevitable and that junctions may have to operate at saturation levels for short periods. The proposed development would lead to a small increase in traffic volumes locally which is acceptable in the context of the zoning, the urban location and regional land-use and transport policies.
- Increased traffic flows do not constitute a traffic hazard.
- While a light rail corridor has not been included in the Government's Capital Programme 2016-2021, it is an objective of the Development Plan to seek to support TII in progressing the design of a light rail corridor that addresses the needs of Fingal, and in particular the Blanchardstown area.
- The NTA are undertaking a redesign of the bus networks. The Planning Authority understands that bus route 37 would not be abolished.

6.4. Observations

A submission has been received from the Department of Culture, Heritage and the Gaeltacht. The submission requests that a badger survey is carried out and that any mitigation measures are identified are implemented as a condition in the granting of the application.

7.0 Assessment

I have read the appeal file, all associated reports and plans and I visited the appeal site and the surrounding area. The proposed development comes forward on land that is zoned for residential development and is therefore acceptable in principle. I consider the proposed development to be well designed and to be of a nature and scale that would integrate well with the existing residential areas to the south and east and within the housing development that was approved on the adjoining lands to the east under ABP Ref. PL06F.247088. Further, the development meets the minimum development standards for residential dwellings, for open space provision and for car parking set out in the Fingal Development Plan. The main issues in this appeal are those raised in the grounds of appeal. In addition to the grounds of appeal I consider that the issue of density and appropriate assessment needs to be addressed. I consider, therefore, that the main issues for consideration are as follows:

- Traffic Impacts.
- Childcare.
- Density.
- Other Issues.
- Appropriate Assessment.

7.1. Traffic Impacts.

- 7.1.1. The grounds of appeal argue that the proposed developments would impact on the capacity, safety and operational efficiency of the national road network, exasperate congestion on the local road network and be inconsistent with the principles of

sustainable development. The report also refers to the failure to carry out a Traffic Impact Assessment. The applicant's response to the appeal includes an Engineering Report prepared by Waterman Moylan Engineering Consultants. The response indicates that the scale of development is below the threshold that would automatically trigger a Transport Impact Assessment. The volume of trips is forecast in the response, using the NRA approved TRICS Trip Database. The Report forecasts 33 no. am peak hour trips and 44 no. pm peak hour trips when the 64 no. dwellings are completed. The response of the Planning Authority states that the development would lead to a small increase in traffic volumes locally which is considered acceptable.

- 7.1.2. The Transport Assessment Guidelines (NRA May 2014) recommends that a Traffic Impact Assessment (TIA) is prepared for housing developments of 200 units or more. The need for a TIA below this threshold should be determined based on the particular circumstances. The proposed development of 64 no. dwellings on the appeal site and adjoining lands to the east is significantly below the 200 unit threshold. Having regard to the modest scale of development proposed, and the position of the site on zoned lands within an urban area and within 900 metres walking distance of a suburban rail station, I am satisfied that a full Traffic Impact Assessment is not warranted in this instance. I consider that the additional trips arising from the proposed development, when taken in conjunction with the development approved under ABP Ref. PL06F.247088 and P.A. Ref. FW15A/0174 would be negligible and that the proposed development would not have an undue impact on the existing traffic situation in the area. I would also note that the Board, in considering the previous application on this landholding for 76 no. dwellings, did not raise traffic impact as an area of concern.

7.2. **Childcare.**

- 7.2.1. The '*Childcare Facilities Guidelines for Planning Authorities*' DoEHLG (2001) sets out guidance for Planning Authorities for the provision of childcare facilities. Section 2.4 states that for new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate and that the threshold for provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas. The Development Plan

(Section 12.8) states that the Council may require the provision of childcare facilities in large residential developments in accordance with the provisions of the DoEHLG 'Childcare Facilities Guidelines for Planning Authorities' (2001).

- 7.2.2. The proposed development when taken in conjunction with the development approved under ABP Ref. PL06F.247088 would comprise a total of 64 no. residential units. The development falls below the 75 unit threshold and as such, it is considered that a childcare facility is not required in this instance. The previous applications proposed to provide 76 no. dwelling units on the site. The issue of childcare provision has been addressed through a reduction in unit numbers below the threshold set out in the Childcare Facilities Guidelines.

7.3. Density

- 7.3.1. The Sustainable Residential Development in Urban Areas Guidelines, 2009 set out density standards for residential development across a range of settlement types. Section 5.8 recommends minimum net densities of 50 dwellings per hectare within 1 kilometre of a rail station, while Section 5.11 recommends net densities of 35-50 dwellings per hectare on outer suburban / greenfield sites on the periphery of cities or large towns.
- 7.3.2. The appeal site is located within an outer suburban area and is also within 900 - 1000 metres walking distance of Coolmine rail station. The proposed development when taken in isolation has a density of 40 units per hectare, which I consider to be generally acceptable. However, the site forms part of a larger residential site and the density needs to be considered in this context. The proposed development when taken in conjunction with the development approved under ABP Ref. PL06F.247088 would comprise a total of 64 no. residential units on a site of 1.9 hectares, equating to an overall density of c. 34 dwellings per hectare. This is below the recommended density for sites within a public transport corridor. However, the previously approved development had a density of c. 31 dwellings per hectare (40 dwellings on a site area of 1.3 hectares). The proposed development would therefore increase the overall density, while in turn addressing concerns raised under the previous application in relation to the road layout, car parking provision and childcare provision. On this basis, I consider the proposed density of 40 dwellings per hectare on the appeal site to be acceptable.

7.4. Other Issues

7.4.1. Procedural Matters:

The grounds of the third party appeal state that the impact of the development has not been assessed comprehensively and in its entirety, highlighting a number of perceived procedural problems associated with the Planning Authority's assessment of the application. The main issues raised in respect of procedural issues are dealt with below:

- The appellant contends that the combined impact of the proposed development and the development approved under ABP Ref. PL06F.247088 is not assessed. I would note that the details submitted with the application and appeal clearly indicate that the proposed development forms part of a larger planning unit. The Planning Officer's Report assesses the submitted details and makes specific reference to the approved development to the east.
- The grounds of appeal state that no response was received from six of eight external consultees and suggests that the decision to grant permission may have been based on insufficient information. The application was referred to prescribed bodies. The responses received from prescribed bodies are noted in the Planner's Report and it is noted where no response was received. While a number of prescribed bodies did not respond within the statutory timeframe, I would concur with the applicant's view that the onus is on statutory consultees to respond within the prescribed timeframe should they wish to comment on an application. On this basis, I am satisfied that the Planning Authority has met its statutory obligations for consultation with prescribed bodies, in accordance with the requirements of the Planning and Development Regulations 2001 (as amended).

7.4.2. Noise: The Noise Impact Assessment submitted to the Planning Authority at further information stage, indicates that noise impacts may arise due to the proximity of the residential blocks to the rail line. The assessment recommends that a 2.4 meter high close boarded fence be provided along the northern site boundary and that acoustic trickle ventilation is provided on the northern facades of Block 01. I would note that Iarnród Éireann has expressed a preference for a block wall along the northern

boundary. However, the proposed boarded fence would provide a visually attractive boundary treatment along the northern site boundary, while also providing a level of noise attenuation to protect the amenities of residents. In the event that the Board is minded to grant permission I recommend that a condition is attached requiring the inclusion of the 2.4 meter fence along the northern boundary and trickle ventilation in the northern façade of Block 1.

7.4.3. Development Contributions: While the matter of development contributions has not been raised by any of the parties to the appeal I note that condition no. 20 of the notification to grant permission relates to the payment of a financial contribution in respect of a shortfall in public open space, while condition no. 21 relates to the payment of a financial contribution in respect of the provision of offsite play facilities. Section 9 (b) of the Fingal County Council Development Contribution Scheme provides for the payment of a financial contribution in respect of a shortfall in public open space. This matter can therefore be addressed within the terms of a general condition in relation to the payment of financial contribution in accordance with the terms of the Development Contribution Scheme. There is no provision for the payment of a financial contribution in respect of offsite play facilities. While Section 48 (c) of the Planning and Development Act does provide for the payment of a special contribution where '*specific exceptional costs*' that are not covered by the scheme would be incurred, no clear case has been put forward by the Planning Authority to demonstrate that the costs are '*specific exceptional costs*' and that the costs are not already included in the Development Contribution Scheme. In the event that the Board is minded to grant permission I would recommend against the inclusion of a special contribution in respect of offsite play facilities.

7.4.4. A submission received from the Department of Culture, Heritage and the Gaeltacht requests that a badger survey is carried out and that any mitigation measures identified are implemented as a condition of the granting of the permission. I would note that the appeal site is a relatively small infill site in an urban area comprising of disturbed ground and with embankments along the northern edge adjacent to the railway line. There was no evidence of badger activity within the site at time of inspection. The Board may wish to consider requesting a badger survey prior to making a determination. However, in view of the site context and the conditions observed at time of inspection I would recommend, in the event that the Board is

mindful to grant permission, that a condition is attached requiring the developer to undertake a badger survey prior to the commencement of development and to implement appropriate mitigation measures in the event that badgers are found to be present in the area.

7.5. Appropriate Assessment

7.5.1. The subject appeal site is not within any designated site. The closest European site is the Rye Valley/Cartron SAC, which is located approximately 6 kilometres (upstream) to the west of the site. The South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA are located over 13 kilometres (downstream) to the east of the site, while the Glenasmole Valley SAC, is located c. 14.4 kilometres south of the site. The site comprises an infill site that has grass / scrub vegetation and is zoned and serviced. The site is located within the development envelope of the Blanchardstown Metropolitan Area. It is proposed to connect to public foul sewer and service water system.

7.5.2. Having regard to the nature and scale of development proposed and to the nature of the receiving environment, in particular its location in a serviced urban area, 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 no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that permission is granted subject to the conditions set out below.

9.0 Reasons and Considerations

9.1.1. Having regard to the residential zoning provision of the Fingal County Development Plan, the pattern of development in the area, to the close proximity to mainline rail and bus connections, to the density, layout and design of the proposed development I consider, subject to compliance with the conditions set out below, that the proposed

development would not seriously injure the residential amenities of the area or of future residents and would represent a high quality residential environment and be generally in compliance with the objectives of the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and the accompanying Urban Design Manual (May 2009) and the Design Manual for Urban Roads and Streets (2013).

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 31st day of October 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 following noise mitigation measures shall be carried out in full:
 - (a) A 2.4 meter high close boarded fence be provided along the northern site boundary, and
 - (b) Acoustic trickle ventilation shall be provided on the northern facades of Block 01.

Reason: In the interest of residential amenity.

3.
 - (a) The developer shall retain the services of a suitably qualified and experienced ecologist to undertake a badger surveys of the site and shall submit a survey report to the planning authority prior to the commencement of development.

(b) Mitigation measures to avoid impacts on badger, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and implemented as part of the development.

(c) No site preparation or construction work shall be carried out until after the survey report has been submitted to the Planning Authority and permission to proceed has been received from the Planning Authority.

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 natural heritage.

4. 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.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water and provision for foul sewer connections within the site, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. 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 a 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 street furniture, including bollards, lighting fixtures and seating;
(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

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

Reason: In the interest of visual amenity.

7. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials 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 and, in particular recyclable materials, in the interest of protecting the environment.

8. Proposals for a 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 street signs and house numbers, shall be provided in accordance with the agreed scheme. 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.

9. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation [and shall be maintained as public open

space by the developer until taken in charge by the local authority].

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

10. Water supply and drainage arrangements, including the attenuation and disposal of surface water and provision for foul sewer connections within the site, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

11. Public lighting shall be provided in accordance with a scheme, 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.

12. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

13. 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.

14. 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.

15. 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.

16. 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.

Karen Kenny
Senior Planning Inspector

19th April 2018