



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-300560-18

Strategic Housing Development

Development of 128 no. dwelling houses and provision of public realm landscaping including shared public open space and public lighting and all associated infrastructural works.

Location

Halfstraddle, Ballygaddy Road, Tuam

Planning Authority

Galway County Council

Applicant

Arlum Ltd.

Prescribed Bodies

1. Minister for Culture, Heritage and the Gaeltacht
2. Heritage Council
3. An Taisce
4. Inland Fisheries Ireland
5. Irish Water

6. Córas Iompair Éireann
7. Commission for Railway Regulation
8. Transport Infrastructure Ireland

Observer(s)

Mike and Clodagh Brinn

Date of Site Inspection

9th March 2018

Inspector

Joanna Kelly

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1. The development site has a stated site area of 5.76ha and is located approx. 900m north west of the town centre lands of Tuam, a hub town which is approx. 35kms north of Galway City. The development site is a greenfield backland site with an existing agricultural access from the R-332, Ballygaddy Road. The site has limited frontage onto the R-332 with a proposed access located between existing ribbon housing along this road.
- 2.2. The development lands consist of three fields, two smaller ones and a larger field. There are stone walls that define the existing field pattern, one of which runs north to south along the eastern boundary of the larger field. There is a wall that runs in an east-west direction and divides the two smaller fields. The eastern boundary of the site is also characterised by a low stone wall. The lands fall gently towards the area where the stone wall is located and then fall steeply to the rear towards the disused railway line, which runs in a north-west south-east direction. The River Nanny runs parallel to the railway line approximately 100m further south.
- 2.3. There appears to be an old right of way to the rear of the existing housing that front onto R-332 road. There is a triangular wedge of land to the north-west corner of the site behind the existing housing that is not included within the site. There is a large two storey dwelling with farm buildings located immediately adjacent the north-west corner which it was not possible to access at time of inspection. This dwelling is accessed via a long avenue from the R-332 close to the M17/R-332 intersection. There is a derelict shed located to the north-eastern boundary in close proximity to a third party dwelling which it is proposed demolish.

2.4. There are long views from the site in the westerly/south westerly direction towards Weir road and M17 (Tuam by-pass) due to the change in levels and exposed nature of the lands. Wier road has the resemblance of a rural local road characterised by stone walls. There is significant linear type development along this road.

3.0 Proposed Strategic Housing Development

3.1. The proposal is to construct 128 residential units consisting of housing units. Table 1 provides an overview of the house type.

Table 1:

Unit Type	No. of Bedrooms	Floor area	No. of Units
A1	4 bed	136.2sq.m.	29
A2	4 bed	136.2sq.m.	24
A3	4 bed	136.2sq.m.	2
A4	4 bed	136.2sq.m.	3
B1	4 bed	136.2sq.m.	6
B2	4 bed	136.2sq.m.	3
B3	4 bed	136.2sq.m.	3
C1	3 bed	111.9sq.m.	12
C2	3 bed	111.9sq.m.	8
D1	5 bed	161.5sq.m.	4
D2	5 bed	161.5sq.m.	2
E	4 bed	133.1sq.m.	2
F	2 bed	85.8sq.m.	8
G	3 bed	107sq.m.	12
H	2 bed	83.1sq.m.	10
		Total	128

The housing mix consists of 16. detached, 82 no. semi-detached and 30 no. terraced units.

4.0 Planning History

The planning report refers to the following site history:

File Ref. No. 01/2986: Planning permission was sought on the 12th of July 2001 by M Hopkins for the construction of 148 no. dwelling houses and ancillary site works. This planning application was subsequently withdrawn on the 9th of September 2002.

File Ref. No. 08/1629: Planning permission was sought on the 27th of May 2008 by Arlum Ltd for (a) the demolition of 1 no. existing dwelling and (b) the construction of crèche/community facility (400sqm), 2 no. retail units (totalling 100sqm) and 369 no. dwelling houses, consisting of 25 no. detached dwellings, 40 no. terraced dwellings and 120 no. semi-detached dwellings, and 92 duplex units over 92 no. ground floor apartments, with optional attic conversions where indicated, along with associated site development works and services (gross floor space 42,689.9sqm). Pursuant to Article 103 of the Planning & Development Regulations (PDR) 2006, the applicants were requested to submit a sub-threshold EIS on the 18th of July 2008, as the development is considered likely to have significant environmental affects having regard to Schedule 7 of the PDR 2001 (as amended). No sub-threshold EIS was received by the Planning Authority.

The details of these files are not available.

5.0 Section 5 Pre Application Consultation

5.1. A Section 5 pre-application consultation took place at the offices of An Bord Pleanála on 13 October 2017. The main topics raised for discussion at the tripartite meeting were based on the agenda that issued in advance as follows:

- Principle of proposal and phasing
- Inner relief road alignment and connectivity
- Density, layout, open space and housing mix
- Drainage and flooding
- Childcare Assessment
- Any other matters

5.2. A copy of the Inspector's report and Opinion is attached to the file for reference by the Board. A copy of the record of the meeting is also available on the file.

5.3. An Bord Pleanála issued notification that it was of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The following is a brief synopsis of the issues noted in the Opinion that required further consideration:

- Residential Phase 2 lands – further consideration of the documents as they relate to the zoning of the site for Phase 2 residential having regard to the quantum and location of Phase 1 lands within the LAP area.
- Inner Relief Road – further consideration of the documents as they relate to the design of the proposed site access, internal access roads, ground levels, finished floor levels of the dwellings proposed and the resultant overall layout in the context of the approved inner relief road which traverses the subject site.
- Density, Housing Mix and Open space – further consideration to the design rationale/justification outlined in the document as they relate to the proposed density and housing mix having regard to the prevalence of 4 bedroom units. Further consideration to the design rationale/justification outlined in the documents as they relate to the active and passive open space both within the site and adjoining the site to the southwest.

Applicant's Statement

5.4. Article 298(3) of the Regulations provides:

'Where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.'

5.5. The applicant has submitted a response to ABP's Opinion as follows:

- Residential Phase 2 lands – It is noted that development of R2 lands is permissible where R1 zoned lands will not or cannot be developed. An assessment of Phase 1 residential lands is provided with the application details. It is concluded that since the adoption of the development plan in 2015, and the identification of the requirement for 699 new homes for Tuam there has been only one planning application for residential development on Phase 1 residentially zoned lands and this comprises of 2 no. units. Virtually no development has taken place on Phase 1 lands and it is unlikely to take place. Hence, it is necessary to consider development of Phase 2 lands. An assessment of the suitability of the site for development is enclosed which refers to the proximity of zoned lands to a 'neighbourhood centre' and proximity to town centre.
- Inner Relief Road- It is set out that it has been agreed with Galway County Council that the proposed development will not include the construction of any part of the relief road but will maintain the corridor which will enable the road to be provided in the future. A meeting was held with the applicant and the Roads Department in November 2017 to discuss the matters outlined in ABP Opinion in respect of the inner relief road. It was agreed that the ground levels proposed as part of this application are within the tolerances associated with the final levels of the inner relief Road. Detailed design of the road has not taken place and the design stage would align with the proposed levels of the

access to the housing development. A site section has been prepared showing the potential relationship between the consented inner relief road and the adjacent dwellings and that there would be no impact on residential amenity of the proposed development. The cycle path and walkway route is also left clear of development and can be developed at a future date. As no part of the relief road is to be built as part of this application there is no requirement for the preparation of a visual impact assessment.

- Density, Housing Mix and Open space – The application is located 800m west of the area identified in the LAP as forming the ‘town centre’ of Tuam. It is reasonable to state that it is an ‘inner suburban area’ and the applicable standard is the medium-low density requirement of 15-35 units. The proposed development has a density of 26.27 u/ha. Reference is made to the section 28 Ministerial Guidelines which state that in smaller towns and villages the general density permitted in central locations should be 30-40 dwellings per hectare while on the edge of centre sites it should be 20-35 dwelling units. It is considered that the latter is applicable in terms of the proposed development. The applicant highlights the changes to proposed housing mix which now provides for less 4 bed units and an increase in the other unit types. With regard to open space it is set out that the location of the shared surface/homezone areas also allows views out to the Nanny river valley from the common areas within the development. The view from the centre of the development down to the homezones and on over the valley brings the connection with the locality into the site. The break in the street allows views to the countryside beyond. To ensure adequate passive supervision special double fronted units have been designed. The design solution proposed offers significant passive overlooking and bookends to the homezones and a legible primary façade from the Weir Road.

5.6. Response to the specific information sought under article 285(5)(b) of the Planning and Development (Strategic Housing Regulations) 2017:

- Appropriate Assessment screening report should identify on a map the Natura 2000 sites within a 15km radius of the site – Map has been included
- Phasing Plan – Drawing No. 3014 has been enclosed indicating 4 phases.
- A site layout plan indicating areas to be taken in charge – Drawing No. 3019 has been enclosed.

6.0 Relevant Planning Policy

6.1. National Planning Policy

The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- National Planning Framework, Project Ireland 2040 including the companion National Development Plan
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design manual)
- Design Manual for Urban Roads and Streets
- The Planning System and Flood Risk management (including the associated technical Appendices)
- Framework and Principles for the Protection of the Archaeological Heritage
- Childcare Facilities – Guidelines for Planning Authorities

6.2 Local Planning Policy

6.2.1 Galway County Development Plan 2015-2021

Chapter 2 refers to the core strategy for the County. There is a specific objective SS3

- Galway County Council shall promote and secure the development of Tuam, to enable it to fulfil its potential as a Hub town, so that it obtains the critical mass necessary to sustain strong levels of economic growth and prosperity while supporting improvements in connectivity between the Gateway and the Hub, enhancing their complementary status.

Objective UHO7 provides

- Ensure that new developments are responsive to their site context and in keeping with the character, amenity, heritage, environment and landscape of the area. New development proposals will be required to complement the existing character of the town centre/area in terms of scale, height, massing, building line, housing mix, urban grain and definition and through high quality design and layout proposals for buildings and structures.

Objective UHO 11 provides

- Galway County Council shall ensure that the density of new development is appropriate to the particular land use zone and/or site context, is in keeping with the existing development pattern of the area, does not unduly impact on the amenities of the area and results in a positive relationship between the existing development and any adjoining public spaces. The development of higher density development shall be promoted in appropriate locations, such as suitable sites within the town/village centre and adjacent to public transport facilities, where such development is compatible with heritage and urban design objectives, infrastructure capacity and environmental considerations. New development shall also have regard to the 'Sustainable Residential Development in Urban Areas' Guidelines or any updated superseding document.

Zoning Objectives

6.2.2 Tuam Local Area Plan 2011-2017

Strategic Development Policies include

Policy DS1 Ensure that Tuam hub town and environs plays its role in achieving balanced growth and development across County Galway and the West Region in accordance with any Core Strategy/Settlement Strategy included in the Galway County Development Plan

Policy DS3 Direct the development of different types, mixes, forms and densities of land use into appropriate locations to promote the consolidation of the urban structure and sequential development of the town and to protect and enhance the character, heritage and amenity of the town, to provide optimum use of existing services and infrastructure and to ensure that the main facilities and amenities are within walking/cycling distance of the majority of the population of the town.

The site has a land use zoning objective “Zone R2 Residential – to provide for future residential development on lands generally not developable during the lifetime of this Plan other than as a replacement for Phase 1 lands which will not be developed. Residential zoned lands in locations outside the N17 Tuam bypass and inner relief road are not considered to be suitable for development within the lifetime of the Plan.

Policy RN 3 of the Tuam LAP is noted as follows:

“Encourage phased residential development in accordance with the preferred development strategy option as set out in this Local Area Plan. This shall include a positive presumption in favour of suitably zoned and serviced Residential - Phased 1 lands.

Residential lands outside the Tuam Bypass or the route of the Inner Relief Road are not considered to be suitable for development within the lifetime of the plan.

Lands have been identified as R1 – phased for residential development within

the lifetime of the plan and R2 – generally not developable during the lifetime of the Plan.

However, if required, residential development can be considered in a phased manner on some R2 lands where it is apparent that R1 lands cannot or will not be developed within the plan period. The requirement for this will be dependent on the level of growth being experienced in Phase 1 lands and where required, consideration will generally be given to Phase 2 lands that are contiguous to existing residentially developed lands, that lie within 800m of the town centre; within 400m of neighbourhood centres; within 1500m of the town centre and; thereafter in remaining areas subject to normal servicing and planning considerations.

Residential Phase 2 lands located within the Tuam Bypass or the route of the Inner Relief Road maybe considered for development if it is apparent that Residential Phase 1 lands cannot be developed within the lifetime of the Plan. Consideration shall be given to the development of Residential Phase 2 lands in lieu of a similar portion of R1 lands which are constrained from development. This shall be undertaken primarily in relation to lands that are contiguous to existing Residential Phase 1 zoned lands, are not identified in a flood area, are considered serviceable by the Planning Authority and are in accordance with proper planning and sustainable development of the area.

Residential - Phase 2 lands outside the Tuam Bypass or the route of the Inner Relief Road would not be considered to be suitable for development within the lifetime of the Plan.

Notwithstanding the above, each proposal will be considered on its merits and having regard to the proper planning and sustainable development of the area.”

Objective DS2 Promote the consolidation of the existing urban structure through the encouragement of the development of vacant and under-utilised sites in the town and ensuring that those lands close to the town are a primary focus for development.

Objective DS 3 Ensure that future development occurs in a phased, plan-led manner with a positive presumption in favour of developing from the centre most point of the town outwards.

In a situation whereby development must be restricted having regard to overall growth rates or the availability of infrastructural or other services, the assessment of competing development proposals, would take the following into consideration when deciding on priority:

- Developments that incorporate and/or promote the delivery of important community facilities and/or amenities to serve the local community,
- Developments that are well located with respect to the existing Town Centre.
- Developments that can be served with an adequate level of road, pedestrian, cycling and public transport access, services and infrastructure, particularly public wastewater services.

Section 4.2 deals with Roads, Traffic management and parking. There are two specific objective Maps 2A/2B which are of relevance to this application. The N17 Tuam bypass (Type 2 Dual carriageway) has opened earlier this year. Tuam proposed Inner relief Roads/Streets (Local Roads) have been adopted under Part 8 planning process. This plan shall seek to prohibit development on lands which are reserved for the provision of the Inner Relief Road/Streets where development would affect the route, line, level or layout of the new roads. A building set back of 25m minimum shall be required on each side of the route edge for the inner relief roads/streets in area of >50kph. No specified minimum building set back shall be required on the inner relief road/streets in areas of <50kph or less, in order to allow for a more flexible, context sensitive approach that will enable the development of urban streetscapes at appropriate locations.

7.0 Third Party Submissions

7.1. Mike and Clodagh Brinn, Ballygaddy Road

The observers' dwelling is located to the north-east of the entrance to the development site. The main points raised in this observation is summarised as follows:

- The proposed entrance and the road serving the development could lead to serious invasion of their privacy.
- The functioning of this entrance road and the configuration of same will cause problems pertaining to loss of privacy to their dwelling. The existing boundary wall is only 900mm to 1.2m high and there will be a serious invasion of privacy and potential for direct overlooking.
- The central proposed estate roadway traverses a northwest-southeast direction and will facilitate lights from cars and other such vehicles to shine directly into the rear of their property.
- The future link road serving the Weir Road which connects with the current proposed entrance will also facilitate a volume of varied traffic which will have a negative impact. There is also likely to be a noise problem from breaking at low speed.
- Street lighting may give rise to nuisance overspill light entering their property.
- It is suggested that the increase in height of the boundary wall between the observers' boundary wall and the proposed development to 2.4m stone faced on both sides and capped accordingly.
- There should be a legally enforced commitment to landscape the green area adjacent to the proposed road and entrance junction with semi-mature screen planting to take place in first planting season after commencement of development.
- Any proposed lighting should face away from observers' dwelling.

8.0 Planning Authority Submission

Section 8(5)(a) of the Act requires the planning authority or authorities in whose area or areas the proposed strategic housing development is situated to submit to ABP within 8 weeks from its receipt of a copy of the application under section 4(1) a report of its Chief Executive setting out:

- (i) A summary of the points raised in the submissions or observations duly received by ABP in relation to the application,
- (ii) The Chief Executive's views on the effects of that proposed development on the proper planning and sustainable development of the area of the authority and on the environment, having regard in particular to-
 - (I) The matters specified in section 34(2) of the Act of 2000, and
 - (II) Submissions and observations duly received by ABP in relation to the application and
- (iii) Where the meeting or meetings referred to in subsection (4)(c)(ii) has or have taken place, a summary of the views of the relevant elected members on that proposed development as expressed at such meeting or meetings.

Section 8(5)(b) requires the planning authority to:

- (i) Set out the authority's opinion as to whether the proposed strategic housing development would be consistent with the relevant objectives of the development plan or local area plan, as the case may be,
- (ii) Include a statement as to whether the authority recommends to ABP that permission should be granted or refused, together with the reasons for its recommendation, and
- (iii) Specify in the report:
 - (I) Where the authority recommends that permission be granted, the planning conditions (if any), and the reasons and grounds for them, that it would recommend in the event that ABP decides to grant permission, or
 - (II) If appropriate in the circumstances, where the authority recommends that permission be refused, the planning conditions and the reasons

and grounds for them, that it would recommend in the event that ABP decides to grant permission.

8.1 With regard to the submissions/observations received by ABP, the planning authority highlight the main issues raised in the Chief Executive's report. No response per se is set out within the report.

8.2 With regard to the Chief Executive's report it is summarised as follows:

- A summary of the main points raised in the submissions/observations from Observers including prescribed bodies has been referred to in the CEO report.
- Details of relevant planning history pertaining to the site are outlined.
- A site description and relevant planning policies have been outlined.
- With regard to assessment of the proposal the following is noted:

Part V – 13 no. housing units are proposed to meet the social housing requirement. The planning authority is satisfied that the proposed units are fully integrated within the overall housing scheme.

Water services – Reference is made to Irish Water's letter and their requirements.

Roads – No development is proposed that would interfere with the future realisation of the Tuam inner relief road. Reference is made to the report received from the transportation section and that cars should be prohibited from reversing onto footpaths and the layout of the scheme needs to be amended to reflect this. All footpaths should be 2m minimum in width. A bus stop should be included within the development.

Flooding – The southern boundary of the site is partially located within Flood Zone B and the lands to the immediate south of the site area, in the ownership of the applicant is located within Flood Zone A. The planning authority is satisfied that the proposed development would not exacerbate flood risk or cause flooding on site or elsewhere and therefore meets the requirements of the Flood Risk Management Planning Guidelines.

Built Heritage – There are no protected structures on, adjoining or in the vicinity of the site. The proposal will not result in adverse impacts on the built heritage of Tuam.

Archaeology – There are no recorded monuments of note on site. The Archaeological Impact Assessment (AIA) submitted with the application found that the proposed development would have no adverse visual impact on the nearby monuments by reason of distance. The submission from the DAU of the DCAG agreed with the findings of the IAI and recommended conditions, which the planning authority consider should be included in any grant of permission.

Childcare Facilities – A childcare facility assessment has been included with the application. The planning authority note that Table 2 does not include figures of the vacancies in existing childcare facilities in Tuam and therefore it cannot be concluded that the existing childcare facilities in Tuam can accommodate the additional demand. Accordingly, it is considered that the proposed development should incorporate a childcare facility.

Design, Density and Layout of the proposed development – The proposed development has a density of 26.27 units per hectare; a site coverage of 27%, a plot ratio of 0.32ha and a public open space provision of 15.28%. The planning authority is generally satisfied with the proposed development, subject to the implementation of the landscaping plan. The site is exposed from the south due to the elevated nature of the site, relative to the nearby old railway and River Nanny. The housing development will also be clearly visible from the Tuam bypass. Therefore, the implementation of the landscaping scheme in the first planting season is required.

European Sites – There are 3 European sites located within 15km of the application site, namely Lough Corrib SAC; Levally Lough SAC; and Shrule Turlough SAC. Having regard to the distance, connectivity and catchment (Corrib), the planning authority is satisfied that the European Site within the zone of influence of the proposed development is the Lough Corrib SAC. The site is approximately 560m from the Lough Corrib SAC (River Clare). It is proposed to connect to the existing public foul sewer and water mains

operating in Tuam town. The planning authority is satisfied that the proposed development is not located within or directly connected with or necessary to the management of any European site. The proposal, by reason of its nature and location and proposed implementation of best practice construction methods, either alone or in combination with other plans and projects will not give rise to significant effects on the qualifying interests of the Lough Corrib SAC which is within the project's zone of influence, in view of the best scientific knowledge and in view of the conservation objectives of this European Site.

Conclusion – The report concludes that the planning authority set out that it is favourably disposed to a grant of permission on this site, subject to the comments made under the different sections of this report and recommend conditions to be attached should ABP grant permission. It is noted that the conditions provide for the re-location of the footpaths between the housing and the parking spaces, payment of section 48 contributions, a bond and specific requirements regarding external materials in particular external doors which shall be timber construction.

8.1. With regards to the area committee meeting as set out under section 8(4)(c)(ii) of the SHD Act, the Chief Executive's report notes comments of elected members at the Tuam Area Committee Meeting 15th January 2018 which are summarised as follows:

- Public lighting – would it be energy efficient?
- Clarity what was meant by passive surveillance
- Queried the number of 4 and 5 bed houses and need for such large housing
- Concerns raised about traffic coming down Ballygaddy road which has increased since the motorway opened. A more up to date TIA may be required to take account of increase in traffic.
- Need for more cycle lanes in the town
- Generally in favour of the development going ahead

The Chief Executive's report is generally considered to contain the information as required under section 8.5 (a) and (b) of the SHD Act 2017.

9.0 Prescribed Bodies

The applicant indicated that the prescribed bodies as listed in the Opinion issued by ABP (as listed on the cover page of this report) were notified of the application. Accordingly, a summary of the main points raised in the responses received by ABP to this notification are outlined as follows:

9.1. Development Applications Unit

- It is noted that the proposed development lies in the vicinity of recorded monuments GA029-006- Ringfort and GA029-007 Ringfort. It is possible that subsurface archaeological remains could be encountered during the construction phase that involve ground disturbance. The Department concurs with the findings of the archaeological impact assessment report submitted with the application.
- It is recommended that the applicant be required to engage the services of a suitably qualified archaeologist to carry out archaeological impact assessment.
- With regard to nature conservation it is set out that the proposed development is approx. 550m east of the River Clare within the European site, Lough Corrib SAC. Reference is made to limitations in the ecological surveys undertaken to support conclusions reached in relation to AA. A key issue of likely significant effects on water quality in the River Clare and in Lough Corrib downstream. The Board should consider any plans and projects that could act in combination effect such as the operational M17/N18/Tuam bypass, Tuam inner relief road.

9.2. Transport Infrastructure Ireland

- The Authority will rely on ABP to abide by official policy in relation to development on/affecting national roads as outlined in DoECLG Spatial Planning and National Roads Guidelines.
- The proposal shall be undertaken strictly in accordance with the recommendations in the Transport and Traffic Impact Assessment submitted in support of the application. Any recommendations arising should be incorporated as conditions of a permission. The developer should be advised that any additional works required as a result of the assessment should be funded by the developer.

9.3. Irish Water

- Irish water confirms that subject to a valid connection agreement being put in place between Irish Water and the developer, the proposed connection to the network can be facilitated.

10.0 **Assessment**

Pursuant to site inspection and inspection of the surrounding environs, examination of all documentation, plans and particulars and submissions and observations on file, I consider the following the relevant planning considerations of this application:

- Principle of development and phasing
- Density
- Urban Design and Layout
- Movement and transportation
- Services including drainage and flooding
- Part V
- Childcare

- Phasing
- Archaeology
- Appropriate assessment

10.1. Principle of development

10.1.1. The subject site, located between the Tuam by-pass and the inner relief road, is identified in the Tuam local area plan (LAP) 2011-2017 as residential phase 2 lands. This plan is considered the statutory plan for the area. There is a draft LAP 2018-2024 prepared however it has yet to be adopted.

10.1.2. Sequentially, the phase 1 lands should be developed first thus helping to consolidate and provide a more compact form to the town. The DS3 Objective provides for the “sequential development of the town”. Section 2.2.6 of the LAP refers to land use zoning objectives and Zone R2 Residential (Phase 2) provide for future residential development on lands generally not developable during the lifetime of this plan other than as a replacement for Phase 1 lands which will not be developed. Policy RN 3 is of relevance to this application. I note that this policy (cited in full in section 6.2.2 of this report) sets out that residential zoned lands in locations outside the N17 Tuam bypass or the inner relief road are not considered to be suitable for development within the lifetime of this plan. However, the policy then goes on to say that development at this location may be considered for development if it is apparent that residential phase 1 lands cannot be developed within the lifetime of the plan. The wording of Policy RN3 as cited in the development plan is considered unwieldy. In essence, the policy provides that residential development can be considered in a phased manner on some R2 lands where it is apparent that R1 lands cannot or will not be developed within the plan period and consideration will then generally be given to phase 2 lands that are contiguous to existing residential developed lands that lie within 800m of the town centre, within 400m of neighbourhood centres, within 1500m of the town centre and thereafter in remaining areas subject to normal servicing and planning considerations.

10.1.3. The applicant has submitted an aerial photograph (Drawing No. 3018) with the zoned residential lands (phase 1 and 2) identified relative to Tuam town centre. The

development lands are located along the R-332 approximately 900m from town centre lands as identified in the LAP 2011-2017. There are lands zoned for neighbourhood centre to the north-east approximately 600m from the development site. Having regard to the location of the site, existing permitted pattern of development along Ballygaddy Road and availability of good footpath connections including public lighting to the town centre, I consider that the subject lands can be considered for development. The applicant has demonstrated that the development of phase 1 lands has not been forthcoming within the lifetime of the current LAP. There has been a total of 2 no. housing units granted permission during the lifetime of the LAP on phase 1 lands. I also draw the Board's attention to the draft LAP where the development site in question is now identified as Phase 1 residential zoned lands. I am satisfied that a justification for the consideration of developing these phase 2 lands can be sustained having regard to the provisions of Policy RN3.

10.2. **Density**

10.2.1. The development site consists of an area of 5.76ha. The net developable area is stated as being 4.87ha. This figure discounts the link road reservation area (0.631ha) and embankment area (.25ha) and therefore gives rise to a density of 26.27 units per hectare.

10.2.2. The Opinion issued by An Bord Pleanála set out that the applicant should give further consideration to the proposed density having regard to the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' 2009. I note that there is a marginal increase in the number (4 no.) of units proposed to that provided for at the pre-application consultation stage. The applicant has set out that the application site is located within 800m west of the area identified in the Tuam Local Area Plan as forming the 'town centre'. It is contended that it is reasonable that the site be classed as an 'inner suburban area' having regard to the provisions of the Galway County Development Plan 2015-2021 where it identifies the provision of 15-35 units per hectare. The applicant refers to the Draft National Planning Framework 2020-2040 (application was lodged prior to its formal publication) which makes a distinction between cities and large towns and smaller towns in terms of population. It is submitted by the applicant that section 28 guidelines state in smaller towns and villages the general density permitted in central locations should be 30-40 dwellings

per hectare while on edge of centre sites it should be 20-35 dwellings and as such the latter is applicable in this case.

10.2.3. The subject site is located within the settlement boundary of Tuam, which has a declining population within the town but an increasing population within its environs as identified in the LAP. Piecemeal residential development has been permitted on all of the main arteries into and within the settlement of Tuam. National and local policies seek to consolidate development within the settlement boundaries of towns close to available social and community facilities. There is clearly significant pressure in the general area for one-off housing which has led to unsustainable development patterns and inefficient use of serviced lands. The NPF in section 5.3 deals with “planning for the future growth and development of rural areas”. Having regard to the provisions of Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, Tuam is considered to be a smaller town and the density range of 20-35 units is considered to be applicable in this instance. The applicant is proposing a density of 26.27 units per hectare, which I consider appropriate for the site. The development proposed will offer an alternative to one-off housing and will help consolidate the town’s structure reducing the pressure for continuous unsustainable linear development on zoned serviced land.

10.3. **Urban Design and Layout**

General

10.3.1. There are section 28 Ministerial guidelines which should be considered in conjunction with the provisions of the Galway County Development Plan and the Tuam Local Area Plan with regard to the overall design and layout of the proposed scheme. The most relevant of these are ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) 2009’ and the accompanying design manual. Ministerial Guidelines advocate high quality sustainable development that are well designed and built so as to integrate with existing or new communities. The Design Manual which accompanies the Sustainable Residential Development Guidelines provide best practice design manual criteria such as context, connections, inclusivity, variety, efficiency, layout etc.

Architect's Design Rationale

10.3.2. An architect's design statement was submitted with the application. The report contains three main sections: Section 1 Site location and description; Section 2 Design Statement Methodology and Section 3 contains Appendices. The statement sets out that the Ballygaddy Road contains a number of estates including 'Bel Aire', 'Cois Na h-Abhainn' and 'Lissadyra' and near continuous one off speculative housing along its frontage between the site and Tuam town core. The layout aims to maintain views through the site's public areas towards the flood plain valley where possible. An embankment is proposed which will ensure all proposed dwellings are well beyond the risk of future floods. It is proposed to seed/plant the embankment with wild meadow species/and good ground cover shrubs which require minimal maintenance. It is set out that this will reduce and enhance the view of the embankment from the Weir road. Provision is proposed to allow for a future inner relief road between the Ballygaddy Road and the Weir Road. With regard to layout, it is set out that the concept and proposed layout aim to provide friendly streets and spaces by providing primary elevations to all public, the local road and recreational areas, location of public open space with direct access to the greatest concentration of dwellings.

Design and Layout of the Units

10.3.3. With regards to the design and layout of the residential units, the proposal is required to meet the standards set out in the Sustainable Residential Development in Urban Areas Guidelines 2009. I am satisfied that an adequate mix of housing units has been provided within the site. Pursuant to the issuing of the Opinion from An Bord Pleanála, the applicant has incorporated terraced units and provided a better range of different bed type units thus providing a better mix of house typology in general. Table 3 identifies the unit types.

Table 3: Overview of Unit Typology

House Type	Total no. of Units	% of overall unit type
2 bed units	18	14%
3 bed units	32	25%
4 bed units	72	56%
5 bed unit	6	5%
Total Units	128	100%

10.3.4. The overall design and layout of the units is such that would offer good quality residential amenity. Access has been provided to the rear of the terraced units for bin storage access. Adequate and functional public and private open space has been provided.

10.3.5. An observer raises concerns about the proposed entrance and road serving the development which could lead to serious invasion of their property. There is an existing entrance at the location where the proposed new access will serve the development. There are adequate sightlines in both directions. I do not consider that the entrance nor the traffic associated with the development is such that would impact on the privacy of the dwellings along this road. Concerns are raised about braking noise and light pollution from passing cars. I do not consider that noise from traffic associated with the development will have a negative impact on existing residential amenities of the area. I note Drawing No. 3012 provides details in respect of proposed boundary treatment which are generally acceptable. It appears from this drawing that it is proposed to retain and supplement existing hedgerow along the eastern boundary of the site. In the interests of protecting the existing rear residential amenity of the dwelling to the north east of the site, I do consider that a block wall, capped and rendered of 1.8m should be provided from the location of the proposed entrance piers as indicated on Drawing 3012 along the party boundary for a length of approx. 30m. Details should be agreed with the planning authority. This can be dealt with by way of condition.

10.3.6. With regard to external finishes, it is proposed to use local stone and render which is considered acceptable. It is proposed to use dark uPVC/timber/aluclad window

system. I note that the planning authority has included a condition that all external doors are timber. I consider this particularly onerous on a greenfield and exposed site where there are no special designations to warrant such a condition.

10.3.7. A landscaping plan has been submitted and is considered acceptable. A children's play area is to be provided within the main central open space area. A condition should be attached to ensure the developer provides suitable low maintenance equipment and this area is made available within phase 1 of the development. The lands are exposed to the south and are highly visible. I support the view of the planning authority that the landscaping will be critical to the success of the scheme as the site is very visible from the N17 by-pass and also along the Weir Road. It is proposed to landscape the embankment with low maintenance grass/shrubs which will help reduce its visual impact.

Conclusion

10.3.8. I consider the proposed layout and design response for the site is appropriate for its location. The site is elevated when viewed from lands to the south due to the intervening low-lying nature of the lands. Open space provision is considered to be both functional and adequately overlooked by the residential units proposed. A suitable set-back has been provided to the area being retained for the relief road should it be built in the future. In the interim, this reservation can function as public open space. The units along the southern boundary have been designed as dual frontage units offering passive surveillance to the lands to the south which form part of the flood plain and which are designated as open space in the draft LAP.

10.4. **Movement and transportation**

General

10.4.1. The development lands are within a 15 minute walk from the town centre. There is an existing network of public footpaths with public lighting from Ballygaddy road to the town centre. The applicant is proposing footpaths within the development. A traffic and transportation assessment is submitted with the application.

10.4.2. The roads section report, which the Chief Executive's report refer to, sets out that in the interests of pedestrian safety that cars should be prohibited from reversing onto footpaths and that the layout should be revised so that the footpaths are located between the dwelling houses and the parking spaces. DMURS seeks to ensure a sense of security and comfort for pedestrians. I consider that a condition to this effect would alter the layout of this scheme radically, resulting in amendments to the curtilage of individual units proposed. I accept there is merit for re-locating the footpath between the housing units and the parking spaces however such a layout tends to be more appropriate for higher density developments where the creation of a high quality public realm is critical to the success of the housing scheme. This scheme is generally suburban in nature and as such the pedestrian movements and indeed vehicle movements would be low and would not compromise public safety.

10.4.3. The transportation report also refers to the provision of 2m wide footpaths and the inclusion of cycle paths and a bus stop within the development. All footpaths are indicated on the plans as being 2m. While no cycle paths are provided for on the plans, I consider it onerous for designated cycle paths to be provided for within the scheme itself. I do, however, consider that a specific designated cycle path should be provided along the access road into the development. This can be dealt with by way of condition. With regard to the provision of a bus stop within the development, I consider this particularly onerous as it is unlikely that a bus would enter the development. It would be more realistic that a bus would actually service stops along the Ballygaddy Road or along the new relief road should it be delivered.

Inner Relief Road

10.4.4. The Tuam LAP identifies an objective to provide an inner relief road. This road objective runs in a north-south direction traverses the eastern section of the development lands. The Opinion issued by An Bord Pleanála required the applicant to give further consideration to the documents as they relate to the design of the proposed site access, internal access roads, ground levels, finished floor levels of the dwellings proposed and the resultant overall layout in the context of the inner relief road which traverses the site and which has an extant Part 8 approval. The Opinion also set out that further consideration should be given to the provision of a

cycleway/walkway adjacent to the route of the inner relief road as indicated in Map 2B of the Tuam LAP.

- 10.4.5. The applicant has responded by setting out that it was agreed with Galway County Council that the proposed development will not include the construction of any part of the relief road but will remain the corridor which will enable the road to be provided in the future. It is set out that this position is based on the fact that the Part 8 permission which preceded DMURS did not contain any detailed design which must be undertaken if the road is to proceed. It is also set out that there is no benefit in constructing part of the relief road through the site in the absence of certainty as to whether it will be completed and the recently opened Tuam by-pass fulfils a similar role. The applicant also sets out that the section of overall relief road between Ballygraddy road and Weir Road is over the River Nanny valley and the railway line and is a significant construction project which might not be justifiable on cost grounds in light of the new by-pass fulfilling this role.
- 10.4.6. Pursuant to the tri-partite meeting, further consultations took place between the applicant, Galway County Council and the roads department. It was agreed with the Council that the ground levels proposed as part of this application are within the tolerances associated with the final levels of the inner relief road. Detailed design of the inner relief road has not taken place and it was agreed that the detailed design stage would align with the proposed levels of the access to the housing development. The applicant has submitted a section (Drawing No: 3010) which shows the relationship of the proposed development with the inner relief road. The Chief Executive's report indicates that no development is proposed that would interfere with the future realisation of this road project.
- 10.4.7. On balance, having considered the details and documentation from the applicant in respect of this roads objective, the submission from the planning authority that raises no objection to the proposed development and having regard to the nature and character of the area in question, I am satisfied that the proposed development does not prejudice the realisation of the relief road objective as identified on the Tuam

LAP. As the planning authority has not raised any concern regarding the delivery of the road, I consider it unreasonable that the lands in question would be prevented from being developed. The planning authority is not seeking the developer to provide the section of the relief road that traverses his lands which would suggest that the delivery of this road is a long-term rather than a short or medium-term objective. I also tend to agree with the applicant that the N17 (Tuam by-pass) itself operates as a relief road, however, this in itself does not negate the need to ensure the reservation for the relief road. Details have been provided which clearly indicates how the proposed relief road can tie-in with the layout of the proposed access road from Ballygaddy Road and I am satisfied that the layout as proposed is acceptable. This area will be taken in charge by the Council as indicated on Drawing No. 3014.

10.5. **Services**

10.5.1. Water Supply

It is proposed to connect public mains as a means of water supply. Irish water has indicated that subject to a valid connection agreement a connection to the Irish Water network can be facilitated.

10.5.2. Waste water

It is proposed to connect to the public sewer and Irish Water has indicated that such a connection can be facilitated to the existing 225mm diameter foul sewer which traverses the site. I note that the letter from Irish Water dated 27th March 2017 (response in relation to the pre-enquiry request) indicated that part of the existing sewer route is located within private gardens and it is a requirement that the existing sewer is maintained in road space and not within the plots of proposed dwellings. I am satisfied that no section of the public foul sewer traverses private property on the layout provided.

10.5.3. Surface Water Design

The engineering report submitted indicates that the storm water drainage has been designed to cater for all surface water runoff from all hard surfaces and will discharge via oil/petrol/silt interceptor to one of the three proposed soakways. The

soakaways are designed to hold water for the largest storage area required over a 48 hour storm period with rainfall depths taken for the 100 year return period for sliding durations from Met Eireann. The storm water discharges to ground water. It is set out that the cell unit is constructed on top of a clean stone base which extends to formation level or existing site levels.

10.5.4. Flood Risk Assessment

A flood risk assessment is enclosed with the application. It identifies that the source of flooding to the proposed residential development site is from fluvial in the form of combined flooding by the Clare and Nanny rivers. A review of the OPW preliminary Flood Risk Assessment mapping for the Galway area shows a potential flood risk adjacent to the lower southwest section of the site. The report refers to a Stage 2 – Flood Risk Assessment using the predictions from the CFRAM study in respect to the 100 year and 1000 year flood levels. Table 3 in the report presents a comparison between the CRAM return period flood flow estimates and the Flood Studies Update Method. The estimates for the 10 and 100 year flood using both methods are generally consistent but at the 1000 year the CFRAM method study provides a higher peak flood flow estimate. It is these flow levels that are used to provide estimates for the flood levels (mOD) which I consider to be appropriate. The report indicates that the peak flood levels are significantly influenced by the River Clare that back up along the Nanny producing almost lake like ponded conditions in the Nanny with almost no hydraulic gradient at the large flood events. The report indicates that the site is essentially clear of the 1000 year flood extent.

10.5.5. While I am satisfied that the residential development and access roads itself are located within flood zone C as recommended in the Flood Risk Management Guidelines, it is critical that there is no displacement of flood waters as a result of the proposed development including the creation of the embankment to the southern boundary. There is a proposed sloped embankment to the southern boundary. Existing ground levels will be lowered in some places and raised in other places to achieve a consistent embankment slope. The engineering report submitted concludes that the cross-sections through the proposed site embankment indicate no

loss of existing flood storage at the 1000 year or 100 year flood levels. The relevant flood zone extent is indicated on the cross sections submitted with the application. The minimum finished floor level of the proposed units of 37.85m OD is well above the reaches of the flood extent. The report concludes that the proposed residential development on the lands is safe from flooding, does not impact on flood risk elsewhere and satisfies the Flood Risk Management Guidelines.

10.5.6. I am satisfied based on the information submitted and having regard to the Chief Executive's report indicating that the planning authority is satisfied that the proposed development will not result in flooding or exacerbate flooding elsewhere that the development would not result in the displacement of waters elsewhere.

10.6 Part V

The applicant has indicated that 13 no. units are to be provided as part of their Part V agreement as follows: 10 no. 2 bed units, 2 no. 3 bed units and 1 no. 4 bed unit. No units are proposed in Phase 1, 5 units are proposed in phase 2, 4 units in phase 3 and 4 in Phase 4. The Chief Executive's report indicates that they are satisfied that the proposed units are fully integrated within the overall housing scheme and recommended the incorporation of a Part V agreement condition. In the absence of any objection from the planning authority regarding the phasing arrangement regarding part V, I consider that the standard condition re Part V is appropriate in this instance.

10.7 Childcare

A childcare assessment is submitted with the application. The applicant concludes that the capacity survey of existing childcare facilities which serve Tuam area has vacancies within the existing providers. The planning authority note that Table 2 referred to by the applicant does not include figures of vacancies within existing providers. I concur that the applicant has failed to provide vacancy figures, providing only capacity figures for each of the providers. The planning authority consider that the proposed development should incorporate a childcare facility and has

recommended a condition (no. 19 in the schedule of conditions) be attached providing that

“unless otherwise agreed with the planning authority prior to construction, the developer shall make provision for a crèche facility on site. The overall number of houses may have to be reduced to accommodate the childcare facility. A revised site layout shall be submitted to and agreed in writing with the planning authority prior to commencement of the development”.

I consider that the applicant should be afforded an opportunity by way of condition to demonstrate to the planning authority that there is sufficient capacity within existing facilities to cater for any increase in childcare demand or alternatively a childcare facility should be provided. A subsequent application for a childcare facility will be required thus reducing the overall number of housing units unless an alternative layout is provided. The condition should specify that no development shall commence pending the agreement of the planning authority that no childcare facility is required and where one is required the facility shall be provided before the commencement of phase 3 of the development.

10.8 Phasing

There are four phases indicated as follows:

Phase 1	41 no. units
Phase 2	30 no. units
Phase 3	26 no. units
Phase 4	31 no. units

Phases 3 and 4 are located to the southern part of the site. I am satisfied that each phase can exist independently of other phases. The majority of public open space will be provided in the first two phases.

10.9 Archaeology

An archaeological impact assessment was submitted with the application. The report sets out that no recorded monuments are located within the proposed site. The

nearest recorded monuments (RMP No's GA029-006 and GA029-007) are located in the adjacent Airgloony townland, approximately 40m north east and 20m west of the development site. It is submitted that any proposed development at this location will have no adverse visual impact on either monument as there is no visible surface trace of the first ringfort and the second ringfort is only barely visible. It is proposed that a structured programme of pre-development testing should be carried out, by a suitably qualified archaeologist, across the proposed development site, due to its size. The Development Applications Unit sets out that they concur with findings of the archaeological impact assessment report submitted and recommend a condition to undertake archaeological assessment as part of any grant of permission.

10.10 Appropriate Assessment

10.10.1 An Appropriate Assessment Screening report is submitted with the application.

Details of the site location and description of the proposed development is provided. The screening report indicates that a dedicated multi-disciplinary ecological walkover of the proposed development site was undertaken in July 2017. Section 2.2.2 of the report sets out construction site management incorporated into the project design. These measures include pollution prevention measures, earth works and waste management.

10.10.2 The report identifies the following sites within the vicinity of the proposed development. The screening report identifies the development site to be 0.56km from the development site.

Table 2: Natura 2000 sites within 15kms of Site

Natura 2000 Site	Site Code	Distance to site (as crow flies to nearest point of Natura 2000 site)
Lough Corrib SAC	000297	0.6km west of site
Levally Lough SAC	000295	9.8km east of site
Shrule Turlough SAC	000525	14.8km west of site

10.10.3 The screening report provides an assessment of likely effects on European sites in section 4. Table 4.1 sets out the likely impacts of the proposed development on the European sites. Section 4.5 sets out that potential pathways for impacts and effects on the European sites in the preceding sections have been examined and none were found to have a significant impact as a result of the proposed development. The screening report concludes that the proposed works, by itself or in combination with other plans and projects, in light of best scientific knowledge in the field, will not, in view of the sites' conservation objectives, have significant effects on any European site. There is, therefore, no requirement to proceed to Stage 2.

10.10.4 As identified in Table 2 above there are three European sites located within a 15 kilometre range of the proposed project. Site synopsis and conservation objectives for each of these Natura 2000 sites are available on the NPWS website and the most relevant i.e. Lough Corrib is enclosed as an Appendix for ease of reference by the Board. In particular, the attributes and targets of these sites are of assistance in screening for AA in respect of this project. Having regard to the source-pathway-receptor model, I consider that two of the SAC sites can be discounted i.e. turloughs. However, having regard to the precautionary principle, I consider that further consideration should be given to the potential for significant effects on the water quality of the River Clare. In this regard, it is noted that the development will be serviced by public water mains, public sewer and it is proposed to use soakways to deal with stormwater run-off. The stormwater will ultimately discharge to groundwater. However, it is considered that having regard to the fitting of the soakaways with silt/oil/petrol interceptors and the use of stone base construction that the proposed development will not be likely to give rise to significant effects on the conservation objectives of the Lough Corrib SAC or have effects in combination with other plans or projects including the N17 Tuam by-pass.

AA screening – Conclusion

10.10.5 I have had due regard to the submission from the Development Applications Unit, the screening report and data used by the applicant to carry out the screening assessment and the details available on the NPWS web-site in respect of the three

Natura 2000 sites identified as being within 15km radius of the development site, including topographical and OS maps available online and consider it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 000297 Lough Corrib, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

11.0 Recommendation

I recommend that permission be **granted** for the proposed development for the following reasons and considerations and subject to the following conditions:

12.0 Reasons and Considerations

Having regard to

- (i) the site's location on lands with a zoning objective for residential development in the Tuam Local Area Plan 2001-2017,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Tuam Local Area Plan 2011-2017,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness,
- (iv) to the provisions of the Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May, 2009,
- (v) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March, 2013,
- (vi) the availability in the area of a wide range of social infrastructure,
- (vii) to the pattern of existing and permitted development in the area, and
- (viii) to the submissions and observations received,

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 or of property in the vicinity, would generally respect the existing character of the area and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

In default of agreement the matter(s) in dispute may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) A dedicated cycle path shall be provided from the Ballygaddy Road entrance into the development.
 - (b) Unless otherwise agreed in writing with the planning authority, prior to commencement of development provision shall be made for a childcare facility in accordance with the document "Childcare Facilities: Guidelines for Planning Authorities" issued by the Department of the Environment and Local Government in June 2001. An application for planning permission for such facilities shall be made and the facility shall be operational prior to

commencement of construction of the third phase of development as indicated on Drawing No. 3014.

(c) The width of the access roads serving housing units 38-53 and 54-62 inclusive in the north-west portion of the site shall be reduced to a 5.5m.

(d) A 1.8m high wall, capped and rendered on both sides, shall be provided along the eastern party boundary for a length of 30m from the approximate location of the proposed entrance pier as shown on Drawing 3012 in a southerly direction.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity and to ensure that childcare facilities are provided in association with residential units.

3. The site shall be landscaped in accordance with the submitted scheme of landscaping, details including the provision of playground furniture of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works.

Reason: In the interest of residential and visual amenity.

4. Prior to commencement of development, the developer shall submit details of all boundary treatment including the eastern perimeter of the site for the agreement of the planning authority. All block walls to be capped and rendered on both sides.

Reason: In the interest of residential privacy.

5. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance

with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of orderly development.

6. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

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

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

(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site, co-ordinate all the mitigation proposals contained in the archaeological assessment and monitor all site development works.

The assessment shall address the following issues:

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

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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

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

8. The internal road network, public footpaths within and outside the proposed development site, including car parking provision to service the proposed development, shall comply with the requirements of the planning authority for such works.

Reason: To ensure a satisfactory standard of development.

9. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

10. 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. Public lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of residential amenity

11. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the Planning Authority's Taking in Charge Policy. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: In the interest of the amenities of the occupants of the proposed housing.

12. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an

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

Reason: To comply with the requirements of Part V of the Planning and Development Act, 2000 (as amended).

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. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

15. 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.

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.

17. 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.

Joanna Kelly
Senior Planning Inspector

29 March 2018