



An
Bord
Pleanála

Inspector's Report ABP-300936-18

Development	Erect 49 houses (amended to 48)
Location	Dawsons Demesne, Clonmore, Ardee, County Louth.
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	17/330
Applicant(s)	C. McManus of Dawson's Demesne Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Gerard McCreanor
Observer(s)	None
Date of Site Inspection	3 rd August 2018
Inspector	Karla Mc Bride

1.0 Site Location and Description

- 1.1. The appeal site is located on the E side of Ardee in N County Louth and the surrounding area is residential in character with a variety of 2-storey detached and semi-detached houses. The rectangular shaped site is bound to the S, W and E by recently constructed housing estates and to the N by a mix of new units and more established detached 2-storey houses on large plots. The site slopes down from SE to NW, the site boundaries are defined by a mix of trees and hedgerows and access is via the neighbouring residential area to the SE at the Clonmore Estate.
- 1.2. Photographs and maps in Appendix 1 describe the site and environs in more detail.

2.0 Proposed Development

- 2.1. Erect 49 units on the 1.75ha site for Chuid Housing Association comprising:
- 1 x 5 bed detached house (c.150sq.m.)
 - 3 x 4 bed, 18 x 3 bed & 18 x 2 bed semidetached houses (c.95 to 145 sq.m.)
 - 8 x 1 bed apartment units (c.65sq.m.)
 - Internal roads, 88 car parking spaces & associated site works.
 - Number reduced to 48 by way of FI & omission of 1 x unit in NE corner

Accompanying documents:

- Engineering Services Report & Design Statement (FI)

3.0 Planning Authority Decision

3.1. Further Information

Further information was requested in relation to the following:

1. Core Strategy Population and Phasing Statement - submitted.
2. An Urban Design Statement - submitted.
3. Cross sections through the site relative to adjoining houses - submitted.
4. Legal interest & Land registry details – submitted & 1 house omitted

5. Full details of the surface water system, vehicle turning bays, upstream drainage details & reduced number of gradients along the road - Engineering Report submitted.
6. Pre-connection enquiry to Irish Water – submitted.
7. Revised watermain layout details - submitted.
8. Further foul water drainage details - submitted.

3.2. **Decision**

Following the receipt of FI, the planning authority decided to grant planning permission for the proposed development (as amended) subject to 17 standard conditions.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

The Planning Officer recommended that planning permission be granted.

3.3.2. Other Technical Reports

Infrastructure: No objections following receipt of FI subject to conditions.

3.4. **Prescribed Bodies**

DAHG: the site is located in the vicinity of several archaeological sites (Ardee Town, Dawson's Demesne Motte & a Ringfort) and pre- development testing is required.

Irish Water: No objections subject to conditions.

3.5. **Third Party Observations**

Several submissions received from a local resident and the Clomore management company who raised concerns in relation to: - relationship to existing Clonmore estate; inadequate vehicular access, car parking, traffic generation & hazard; overlooking & overshadowing; loss of mature trees & hedges; location of storm drains, sewage mains & flood risk; legal interest & encroachment on adjacent lands.

4.0 Planning History

Reg. Ref. 06/1581: Permission granted for 57 houses with vehicular access via the existing Clonmore housing estate road to the E, subject to 22 standard conditions.

5.0 Policy Context

5.1. National Policy

Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016

This document seeks to accelerate housing supply, tackle the housing shortage and address the needs of homeless people and families in emergency accommodation by accelerating the provision of social housing, delivering more housing, utilising vacant homes and improving the rental sector.

Sustainable Urban Housing Design Standards for Apartments Guidelines, 2015

These guidelines update the “Sustainable Urban Housing: Design Standards for New Apartments” guidelines (2007), they take precedence over local planning policy and standards, and apply to both public and private schemes. They seek to uphold proper standards for apartment design to meet the accommodation needs of a variety of household types and sizes and to ensure that new apartment developments will be affordable to construct and that supply will be forthcoming to meet the housing needs of citizens.

Guidelines on Sustainable Residential Development in Urban Areas, 2009

These guidelines set out the key planning principles which should be reflected in development plans and local area plans, and which should guide the preparation and assessment of planning applications for residential development in urban areas and they are accompanied by a non-statutory residential design manual. Chapter 5 provides advice on appropriate locations for increased densities whilst sites in excess of 0.5ha may have the potential to set their own density, subject to environmental and residential amenity considerations.

Design Manual for Urban Roads and Streets

This manual provides guidance relating to the design of urban roads and streets. It seeks to address street design within urban areas and it sets out an integrated design approach which must be influenced by the type of place in which the street is located, and balance the needs of all users. It also aims to put well designed streets at the heart of sustainable communities which can create connected physical, social and transport networks that promote real alternatives to car journeys, including walking, cycling or public transport.

The Regional Planning Guidelines for the Border Region 2010-2022

These guidelines provide a long-term strategic planning framework for the development of the Border region, they set out a population growth framework, housing targets and housing land requirements for each local authority.

5.2. Louth County Development Plan 2015 to 2021

The site is located within an area covered by the Louth County Council Development Plan 2015 to 2021 and the Ardee Local Area Plan 2010-2016.

Zoning: The site is located within a Level 2 Settlement and it is covered by the “RE” zoning objective which seeks “To protect and / or enhance existing residential communities and provide for new residential communities.”

Core strategy:

Policy CS 1 seeks to promote household & population growth in accordance with Table 2.5 & 2.6 of the Core Strategy.

Policy CS 2 seeks to facilitate orderly and sustainable development through the implementation of an overall phasing strategy.

Policy CS 3 seeks to require the submission of a ‘Core Strategy Population and Phasing Statement’ with all applications for residential development on zoned land.

Settlement Strategy:

Policy SS 1 seeks to maintain the settlement hierarchy within the County and to encourage residential development within each settlement that is commensurate with its position in the hierarchy and the availability of public services and facilities.

Table 2.2 Ardee is a Moderate Sustainable Growth Town in the Settlement Hierarchy.

Policy SS 7 seeks to promote Ardee as a prosperous and thriving local development and service town for Mid- Louth and bordering areas of Monaghan and Meath, where no individual or social group is excluded from the benefits of development and where the principles of environmental, economic and social sustainability including protection of the town's heritage and the natural and built environment are enshrined and to review the Ardee LAP following the adoption of the Louth County Development Plan 2015-2021.

Ardee Local Area Plan (2010-2016):

OBJ 1 seeks to strengthen Ardee's role as an important economic, social, cultural, residential, retail and service centre within the county.

OBJ 3 seeks to protect the amenities of existing residential communities and provide for adequate phased residential development.

Policy POP 2 seeks to ensure the provision of sufficient housing to meet local need

Policy POP 4 seeks to require that new development has regard to existing amenity.

Policy POP 7 seeks to secure the provision of an appropriate mix of house types.

Policy POP 14 seeks to ensure that 40% of the units should exceed 80sq.m. (30+)

Policy DEV 3 seeks to facilitate orderly & sustainable development through the implementation of an overall phasing strategy (site lies within Phase 1 lands).

Residential development standards:

Density:	Edge of centre (20-30/ha) & 15-20/ha (Edge of town)
Height:	Consistent with area & not exceed 4-storey
Internal space:	Comply with national standards
Separation distances:	22m between opposing first floor windows
Car parking:	1 space per dwelling (houses & apartments)
Private amenity space:	80sq.m. (3+ bed); 60sq.m. (1-2 bed); 20sq.m. (1bed unit)
Public open space:	15% of Gross Site Area

5.3. Natural Heritage Designations

The Stabannan-Braganstown SPA & pNHA is located c. 6k to NE.

6.0 The Appeal

6.1. Grounds of Third Party Appeal (Gerard McCreanor)

- Mr McCreanor occupies an adjoining house to the immediate NE of the site.
- Inadequate location for Site Notices and not easy to read.
- Developer should build a 2m high wall along the boundary as soon as development commences to prevent overlooking as the existing boundary is open & the appeal site is elevated.
- Omit upper gable window and replace with skylight in nearest house (no.28 on Drg. No. PO2B) to prevent overlooking & protect privacy.
- Omit fencing & replace with a block wall along the 35m long site boundary.

6.2. Planning Authority Response

Response to Third Party Appeal:

- Site notices: the public have had ample opportunity to comment.
- Boundary wall: inappropriate solution which would restrict permeability & create an enclosed community.
- Omission of gable window: not necessary as the bathroom window will be fitted with obscure glazing.

6.3. Observers & Prescribed Bodies

No Observer submissions and no additional submissions from prescribed bodies.

7.0 Assessment

The main issues arising in this case relate to the following:

- Principle of development
- Design & layout
- Residential amenity
- Movement & access
- Environmental services
- Other issues

7.1. Principle of development

The proposed development (as amended by FI) would comprise 48 dwelling units and it would be located within Ardee Town which is a designated Level 2 Settlement in the Louth County Development Plan 2015 to 2021.

The Core Strategy seeks to support the realisation of more sustainable towns and villages appropriate to the scale of the settlement and its position in the settlement hierarchy, and the preferred Development Strategy seeks to achieve critical mass in the moderate sustainable growth towns of Ardee and Dunleer. The proposed development would also be located within an area that is covered by the Zone Residential objective in the Ardee Local Area Plan 2010 -2016 which seeks “To protect and / or enhance existing residential communities and provide for new residential communities” and the principal permitted land use is residential.

The proposed development would therefore be compatible with the core strategy, settlement strategy and zoning objective for the area, and it would constitute an appropriate and sustainable use of residentially zoned lands.

The applicant submitted a Core Strategy Population and Phasing Statement in compliance with Development Plan policy by way of Further Information and the contents are noted.

7.2. Design and layout

The proposed residential development (as amended by FI), would provide 48 units on the 1.75ha site comprising 40 x 2-storey detached and semi-detached houses and 8 apartments in a x 2-storey terrace. The proposed units would have a suburban style design which is typical for the area, 28 of the houses would be located parallel to the S, W and E site boundaries whilst the remaining units would be located in the E section along with the central area of public open space and car park. The proposed vehicular access would be via the Clonmore estate to SE, the proposed internal road would mainly run from S to N and it would culminate in a turning area in the NE corner of the site. The design and layout of the proposed development is considered acceptable in terms of visual amenity, it would be in keeping with the character of the area and it would integrate with the surrounding area.

7.3. Residential amenity

Proposed houses:

The proposed 48-unit residential development (as amended by FI) on the c.1.75ha site would provide for an acceptable residential density for the area and location and it would comprise a dwelling mix of 40 x 2 to 5-bedroom houses and 8 x 1-bedroom apartments which is acceptable. The proposed units would provide for an acceptable level of residential amenity with respect to floor area, room size, orientation, storage and private amenity space, which would be broadly in line with national and local planning standards. All of the units would have front and rear gardens and an area of public open space would be provided in the approximate centre the site. However, details relating to landscaping and the provision of a children's play space within the open space should be required by way of a planning condition and agreed in writing with the planning authority.

The layout of the proposed development is such that most of the houses would be separated from each other by an adequate distance in compliance with minimum Development Plan requirements. Although several units (37-44 and 45-48) in the SE section would be separated by a distance of c.18m, most of the first floor rear windows would not be directly opposing and the arrangement is considered acceptable in terms of residential amenity with no significant overlooking anticipated.

Adjoining sites:

The site is bound on all four sides by existing 2-storey houses and apartment blocks. Most of the units would be set back c.22m from the rear elevations of the directly opposing houses to the N, W and S in compliance with minimum Development Plan requirements, although several units (9, 11, 13 & 16) in the W section would be set back c.18m. However, on balance, I am satisfied that the proposed development would not give rise to any significant loss of amenity in relation to overlooking or loss of privacy. Having regard to the orientation of the proposed units in the W section to the NE of the existing houses, the neighbouring sites would not be overshadowed to any significant extent. The proposed units would be 2-storey with a suburban design which would not adversely affect the visual amenities of the neighbouring houses.

The Third Party Appellant, Mr. Mc Creanor, is the owner of an existing house on the adjoining site to the NE of the proposed development. Mr. Mc Creanor's house and rear garden are located at a lower level than the appeal site and the boundaries are predominantly open at this location relative to the remaining site boundaries which are defined by mature trees and hedgerows. The side gable of proposed house no.28 would be located parallel to the site boundary with a c.3.5m setback. Mr. Mc Creanor has raised concerns in relation to overlooking and loss of privacy and he has requested that a wall be constructed along his boundary and that the first floor window in the side elevation be omitted and replaced with a skylight.

It is noted that, with the exception of the Record Place Map, this neighbouring house and site levels have not been indicated on the submitted plans (original or FI drawings) although the site boundary between the house and the adjacent Clonmore estate, and its relationship to the proposed development has been indicated on some of the drawings.

Having regard to the change in site levels and the proximity of the proposed development to Mr. McCreanor's rear garden I am satisfied that a block wall would be preferable to a wooden fence along the common boundary in terms of residential amenity. This issue could be addressed by way of a planning condition. However, it is noted that the first floor gable window at no.28 would provide light and ventilation to a bathroom and that obscure glazing is proposed, which is an acceptable arrangement with no significant impacts on residential amenity anticipated.

Conclusion:

Having regard to the foregoing, I am satisfied that the proposed development would provide for an acceptable level of residential amenity for future occupants and that it would not have an adverse impact on the amenities of any neighbouring properties in the vicinity.

7.4. Movement and access

Vehicular access & internal layout:

The proposed development (as amended by FI) would be located on the E side of Ardee town, to the S of the Dunleer Road and W of the Jumping Church Road which provides access to the neighbouring Clonmore estate.

The vehicular access to the proposed development would be via Clonmore Estate and along an existing road that runs parallel to several of the existing houses and a public open space. The proposed access road would serve as a continuation of the existing road in terms of width, alignment and footpaths, it would mainly run from S to N where it would culminate in a turning area in the NE corner of the site and there would be 2 raised table areas in the central and NW sections. The local road network and the adjoining internal estate have sufficient capacity to accommodate the additional traffic movements generated by the proposed development. The proposed site entrance has adequate visibility and off street car parking is provided in the front gardens of the existing neighbouring houses.

The proposed vehicular access arrangements and internal road layout would not give rise to a traffic hazard or endanger the safety of other road users. However, constructions related deliveries should not coincide with the morning school run or take place at weekends when children are playing out of doors in the neighbouring Clonmore estate. This could be addressed by way of a planning condition.

Car parking:

The proposed 48 unit development (as amended by FI) would provide a total of 88 car parking spaces in a mix of off-street car parking and a centrally located car park which is considered acceptable and broadly in line with minimum Development Plan requirements for 1 space per house and apartment. The proposed development would not give rise to overspill car parking on the surrounding area.

Conclusion:

Having regard to the foregoing, I am satisfied that the proposed development would not give rise to an unmanageable traffic generation, overspill car parking, a traffic hazard or endanger the safety of other road users, subject to compliance with conditions.

7.5. Environmental services

The proposed water supply, wastewater drainage and surface water drainage arrangements would connect to the existing systems to the NE of the site in the N section of the adjoining residential development at Clonmore, which ultimately connect with the public system along Hale Street to the N. This arrangement is acceptable in principle subject to compliance with the requirements of Irish Water and the planning authority.

In relation to the management of surface water run-off within the proposed development it is proposed to use a SUDS approach to surface water management which is considered acceptable. However, the site also slopes down steeply from S to N and it is proposed to provide two attenuation tanks in the central and N sections of the site, and this system would connect to the existing surface water sewer in the Clonmore estate.

The applicant was requested to provide (by way of FI) but did not submit adequate details in relation to a layout plan of the surface water system through the remainder of the adjoining estate to a point where it connects to the public sewer system or surface water outlet. However, this issue could be addressed by way of a planning condition which requires the submission of details for the written agreement of the planning authority before development commences, or alternatively the Board may wish to seek further information in relation to this matter.

The details should include the aforementioned layout plan, pipe sizes, falls, cover and invert levels along with calculations demonstrating sufficient capacity to cater for the proposed development a CCTV survey of this system to the point of discharge to the public sewer, and the applicant shall rectify any blockages and upgrade any sections which do not have capacity to cater for the proposed development.

7.6. Other issues

Appropriate Assessment: The site is located a substantial distance from the nearest European site at Stabannan-Braganstown SPA to the NE and there would be no direct connection between the works and this or any other designated site.

Archaeology: The site is located close to Ardee Town which is a designated Recorded Monument and there are several other Recorded Monuments and features of archaeological interest in the wider area. The proposed development would be located within an area of archaeological potential and pre-development testing would therefore be required.

Flood risk: The proposed development would not be located within an area that is prone to flooding and it would occupy an elevated position relative to any nearby watercourses. The proposed development would not give rise to a flood risk downhill of the works provided that all of the surface water drainage and attenuation measures are implemented in accordance with Council requirements and the recommended conditions.

Social & affordable housing: It is noted that the proposed houses would be managed by the Cluid Housing Association however the standard Section 96 condition should be attached.

8.0 Recommendation

Arising from my assessment of this appeal case I recommend that planning permission should be granted for the proposed development for the reasons and considerations set down below.

9.0 Reasons and Considerations

Having regard to the provisions of the County Louth Development Plan 2015 to 2021, and to the nature, and scale of the proposed development, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity or give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further information received by the planning authority on 1st day of December 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. 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.

3. The developer shall provide a children's play area within the central public open space area, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than [1:500] showing: -

1. The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder but not include prunus species.
2. Details of screen planting which shall not include cupressocyparis x leylandii.
3. Details of roadside/street planting which shall not include prunus species.
4. Hard landscaping works, specifying surfacing materials, furniture, children's play equipment and finished levels.

(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment

(c) A timescale for implementation including details of phasing.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5. A screen wall shall be provided along the side boundary of house no. 28 to screen the rear garden of the house on the adjoining site to the NE from public view. The wall shall be 2.0 metres in height above the ground level of the development site. The screen wall shall be constructed in brick to match the brick used in the dwelling(s) or concrete block or similar durable materials and, if in concrete block, shall be suitably capped and rendered on both sides in a finish that matches the external finish of the dwelling(s). This wall shall be constructed before site development works commence.

Reason: In the interest of residential and visual amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

Reason: In the interest of public health and to ensure a proper standard of development.

7. In relation to surface water drainage, the developer shall submit the following details to be agreed in writing with the planning authority prior to commencement of development:

- a. A layout plan of the surface water system through the remainder of the adjoining Clonmore development to a point where it connects to the public sewer system or surface water outlet.
- b. Details in relation to pipe sizes, falls, cover and invert levels along with calculations demonstrating sufficient capacity to cater for the proposed development.
- c. A CCTV survey of this system to the point of discharge to the public sewer, and the applicant shall rectify any blockages and upgrade any sections which do not have capacity to cater for the proposed development.

Reason: In the interest of public health and to ensure a proper standard of development.

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

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

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open space, 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.

10. Proposals for an estate 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 name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

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

11. The site development and construction works shall be carried out such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

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

12. 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 interests of public safety and residential amenity.

13. Site development and building works shall be carried out only between the hours of 0800 to 1900 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. No construction deliveries shall take place before 1000 hours Mondays to Fridays inclusive, and not at all on Saturdays, 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: To safeguard the residential amenities of property in the vicinity.

14. 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 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.

15. 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.

16. The developer shall pay to the planning authority a financial contribution of two hundred and fifty-nine thousand and two hundred euro (€259,200) 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. The application of any indexation required by this condition 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.

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 the value of one thousand and fifty eight thousand and four hundred euro (€158,400) to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, 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 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 of the development.

Karla Mc Bride
Planning Inspector

06th September 2018