



An
Bord
Pleanála

Inspector's Report ABP-301122-18

Development	Extension and conversion of existing house to two semi-detached houses, one new detached house, two new semi-detached houses, block up existing entrance and new access to road
Location	Strandhill Road, Ballydoogan, Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	17/234
Applicant(s)	CJ Martin Construction Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	David Lenehan
Observer(s)	None
Date of Site Inspection	18 th June 2018
Inspector	Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is located within the western environs of Sligo town centre, off the southern side of the Strandhill Regional Road, R292. The site is located immediately adjoining the junction of the Strandhill Road and Kevinsfort Heath Road (western distributor road).
- 1.2. The site, which has a stated area of 0.29ha, comprises a large detached two storey dwelling (370sqm in area), set back approx. 30m from Strandhill Road, staggered behind the existing building line established to the east. The north of the site is bounded by Strandhill Regional Road, the western boundary by Kevinsfort Heath Road (which serves Kevinsfort Heath housing estate located to the south of the site), and a large detached two storey dwelling is located to the east of the site.
- 1.3. Vehicular access is located to the north western corner of the site, from the Strandhill Road, c. 5m to the east of the existing junction. The traffic lights for the junction are located approx. 4m to the east of the existing access, resulting in the existing entrance for this dwelling being located between the traffic lights on the junction.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Extension to existing detached dwelling and subdivision of this dwelling into two semi-detached four bed dwellings
 - Construction of one detached four bed dwelling and two semi-detached four bed dwellings
 - Creation of a new vehicular access further east along the northern boundary.

3.0 Planning Authority Decision

3.1. Decision

GRANTED, subject to 16 conditions, including the following:

C3: Landscaping.

C4: Eastern boundary shall comprise a 1.1m high closed board timber fence to the northern section of the eastern boundary and a 1.8m high wall for the remainder of the eastern boundary.

C14: Required amendments to road junction.

C15: Development contribution.

C16: Cash Deposit/Security Bond.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report generally reflects the decision of the Planning Authority. Further information was requested and received in relation to a redesign of the junction at Strandhill Road; trees to be retained and landscape plan; details in relation to site boundaries; relocation of house no. 1 and shadow analysis; redesign of houses 2-5 requested to address height and bulk; foul sewer network; water network; and surface water discharge.

3.2.2. Other Technical Reports

Road Design Section – No objection, subject to details in relation to boundary setbacks and junction redesign.

Sanitary Services Section – No objection subject to condition.

3.3. Prescribed Bodies

Irish Water – No objection subject to condition.

3.4. Third Party Observations

A number of observations were received, the contents of which are largely addressed within the grounds of appeal.

4.0 Planning History

PL77.228061 – Permission REFUSED for construction of 12 apartments in two blocks and creation of a new vehicular entrance. There were three refusal reasons

related to scale, massing and design considering the RE zoning and pattern of housing in the area; design and layout of apartments and inadequate private open space; and traffic hazard given additional traffic movements in close proximity to a traffic lit junction on a heavily trafficked regional road where sightlines are restricted.

5.0 Policy Context

5.1. National Policy

- National Planning Framework (2018)
- 'Sustainable Residential Development in Urban Areas' and associated 'Best Practice Urban Design Manual' (2008)
- 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007)
- Design Manual for Urban Roads and Streets

5.2. Sligo County Development Plan 2017-2023

- Sligo and Environs Development Plan 2010-2016 (SEDP) has been incorporated into the Sligo County Development Plan 2017-2023. The CDP states that the policies and objectives of the SEDP will continue to apply until the adoption of a Local Area Plan for Sligo and Environs.
- Chapter 13: Development Management Standards
- Section 13.8, Transportation, Roads and Parking

5.3. Sligo and Environs Development Plan 2010-2016

- Zoning Objective RE, Existing Residential Areas.
- Chapter 7: Housing
- Chapter 16: Development Management Standards
- Section 16.3.12 Infill housing within established residential areas
- Section 16.6.2 Entrances

5.4. **Natural Heritage Designations**

The site is not located within or adjacent to a Natura 2000 site. Cummeen Strand / Drumcliff Bay (Sligo Bay) SAC 000627 and Cummeen Strand SPA 004035 are located approx. 1km northwest of the site, at their closest point.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A third party appeal has been lodged by the resident of the property to the east of the appeal site. The grounds of appeal are summarised as follows:

Traffic Hazard

- Development will result in a traffic hazard and permission should be refused.
- The traffic assessment is inadequate and reason for refusal from the Board on a previous application in 2008 stands. There are two contradictory internal engineering reports on file, one saying the FI is inadequate and the other recommending conditions given further information issues not being pursued by the planner. Amendments were previously suggested to the northern boundary which were not deemed acceptable by ABP.
- The proposal cannot deliver adequate sightlines of 70m in each directions and set back of 2.4m has not been applied. Eastward visibility will result in traffic hazard to drivers, cyclists, and local residents. No road safety audit has been submitted. Condition 14 as attached to the permission is unacceptable.

Residential Amenity

- Proposed house no. 1 and the boundary treatment to the east will have a detrimental impact on existing levels of residential amenity enjoyed by the resident of the property to the east and should be refused.
- House no. 1 is too close to the boundary to the east and the proposed dwelling would be overbearing and will result in loss of light to side windows of the dwelling to the east. The overshadowing document submitted by the

applicant is considered to be flawed. The removal of house 1 would further result in 20% decrease in traffic movements at the site.

- The site layout could be improved if the existing house on site was demolished and houses moved further from the eastern boundary.
- The eastern boundary has been subject to tree removal, with the remaining unsightly leylandii trees significantly overhanging the neighbouring property to the east and overshadowing the front garden.
- Existing leylandii trees are in poor condition and are not maintained. Given the extent of the trees, the erection of a timber fence along part of the boundary would not be feasible. All the leylandii trees should be removed and replaced with a 1.1m high block wall to the front eastern portion of the boundary. Boundary should be in place prior to construction on the site. Condition 14 attached to the permission would have knock on impacts on the other boundaries and should be considered further by the Board.
- Should the Board be minded to grant permission instead of refusing as recommended, it is requested that, as a minimum, house no. 1 be omitted and the remaining leylandii trees along the shared boundary be removed and a more permanent boundary and landscaping treatment be provided.

6.2. Applicant Response

The applicant has submitted a response to the third party appeal, which is summarised as follows:

Traffic Hazard

- The existing entrance was in place and permitted before the Western Distributor Road was planned and it is this road which has given rise to a traffic hazard at this location.
- The wall was built by Sligo County Council on their property. It is unreasonable to require the applicant to set it back. It is on land owned by Sligo County Council and is outside the ownership of the applicant.
- An engineering report has been submitted with the appeal response and was undertaken by Jennings O'Donovan engineers. It is proposed to realign the

traffic signals and road markings and associated footpaths and provide for increased radius for traffic turning left at the junction.

- Intervisibility at the entrance to the site is measured at a 2m set back from the carriageway edge and visibility splays of 70m to the east and 40m to the west will exist.
- Intervisibility at the signal controlled junction will be partially obscured by the existing boundary walls. A plan submitted shows the desirable intervisibility envelope.
- With regard to planning conditions on the permission, boundary walls can be set back to accommodate the condition of planning. The boundary walls are in the ownership of Sligo County Council.
- Junction arrangements similar to the proposed entrance are common on the Strandhill Road and will not be out of character or pose undue difficulties for drivers.

Residential Amenity

- The applicant will abide by any boundary treatment conditioned by the Board.
- House no. 1 should be retained. The location of the dwelling is entirely different to the location of the proposed apartment block which was refused.
- House no. 1 is 1.46m from the shared boundary and the third party's house is a further 4m from this boundary. This is consistent with development in the area. The original permission for the third party's house indicated the house would be 7.5m from the shared boundary but it was built 4m from this boundary.
- The third party raises concerns in relation to the double height window in their gable. It is noted that the original permission indicated this window was to be fitted with stained glass, presumably to address overlooking of the applicant's property.
- The boundary until recently comprised 4-5m high trees, which have been removed. The situation will not be disimproved in terms of what existed. The gable of proposed house no. 1 will be painted white and will reflect light.

- The proposed house will not be overbearing given its position and scale.
- To demolish the existing house, which is in good condition, is not a sustainable approach to development.
- The density of this development is appropriate given its close proximity to Sligo Town.

6.3. Planning Authority Response

The planning authority has responded to the grounds of appeal as follows:

Traffic Hazard

- The planning file acknowledges the importance of public safety and traffic hazard with regard to the junction. The Road Design Office confirmed that the outstanding issues could be satisfactorily addressed and agreed by way of condition, which will mitigate any potential traffic hazard or public safety concern.
- The increase in traffic volumes of 4 additional houses cannot be reasonably compared to the previous decision to refuse permission for 12 apartment units.
- The third party's suggestion to remove house no. 1 would not have a significant impact in terms of traffic movements.

Residential Amenity

- The scale and bulk of house no. 1 is considerably less than the previously refused apartment block. The relationship between house no. 1 and the third party's property is similar to that which commonly exists in residential areas. At its closest point the house will be 5m from the neighbouring property. Development plan standards require provision of separation between side walls of dwellings of 1.5m.
- The third party's property is located east of house no. 1 and overshadowing will be limited to the latter part of the day. The stairwell area essentially functions as a circulation space and would not be overly sensitive to overshadowing impacts.

- With regard to overbearing, the relationship between dwelling no. 1 and the dwelling to the east is similar to that which commonly exists in residential areas such as this.
- The proposed design and layout is acceptable. The development complies with site development standards and would be in keeping with the scale and character of development at this location.

6.4. **Observations**

None.

6.5. **Further Response from the Third Party to Applicant's Response**

Traffic Hazard

- The response of the applicant does not sufficiently address the risks by way of traffic hazard and sightlines.
- Applicant's report from Jennings O'Donovan confirms that the visibility splays are limited to 70m to the east and 40m to the west. This does not meet development plan and national guidance. The requirement is for 70m in each direction with a set back of 2.4m (not 2m as indicated). It is a poor approach to proper planning to resolve this issue by condition given the issues relate to public safety.
- The applicant has not overcome the previous reason for refusal on traffic grounds. The location of the entrance is in the same position as the previously refused entrance, albeit there will be a reduced number of traffic movements.
- It is inappropriate that two internal roads reports exist on the file that are at variance.

Residential Amenity

- The separation distance of house no. 1 to the boundary is c 1.4m and this is insufficient. House no. 1 should be removed. The density overall is not in keeping with national guidance.

- Section 16.3.4 requires separation distances of 1.5m. The development plan reference is not relevant as it applies to new housing development as opposed to the existing situation.
- The proposal should be assessed based on the existing condition and not the previous condition of the trees. There will be loss of light to the side windows of the dwelling and the hall space it serves is used as a play area.
- The overall position of house no. 1 is inappropriate.
- The house does not have to be retained on the site under any planning policy and its demolition would allow for an improved site layout with greater distances to the boundary.
- The applicant and planning authority are amenable to any boundary treatment. On this basis the third party requests that the existing leylandii trees to the front eastern boundary be removed and replaced with a wall and copper beech planting on the applicant's side of the boundary. A height of 1.1m-1.8m is required to the fore of the shared boundary and 2 m to the side and rear of the third party's property. The boundary treatment should be in place prior to construction for health and safety reasons.

6.6. Further Response from the Planning Authority

- Condition 14 is required to accommodate the increased traffic associated with the proposed development and to provide for the safe operation of the junction.
- The imposition of this condition clearly indicates the planning authority has no objection in principle for the carrying out of these necessary works by the developer on any lands in the ownership of Sligo County Council.

7.0 Assessment

- 7.1. The subject site comprises one large detached property on a 0.29ha site. It is proposed to extend the existing dwelling and subdivide it into two dwelling units and to construct one additional detached dwelling and two additional semi-detached

dwellings, with a revised site entrance from the Strandhill Road. The site will cater for a total of 5 dwellings.

Zoning

- 7.2. The subject site is located within zoning objective RE, the objective for which is to protect and enhance existing residential amenity. I consider the development as proposed to be acceptable in principle with the zoning objective for the area.
- 7.3. The primary issues for assessment include;
- Traffic Hazard
 - Residential Amenity

Traffic Impact

- 7.4. The third party contends that the proposed development will result in a traffic hazard at the existing busy junction adjoining the site and that the internal report from the area engineer, which required further information, was not adhered to. It is contended that matters of public safety should not be addressed by condition and the fact of the previous refusal on the site indicates the unsatisfactory arrangement proposed. It is also stated that the proposed entrance in terms of sight visibility does not meet national or local guidance.
- 7.5. The applicant states that the works proposed to the boundary wall are on land owned by Sligo County Council and they do not have the rights to carry out the works. It is confirmed that the requirements of condition 14 can be met.
- 7.6. The existing junction with Strandhill Road is located approx. 5m to the west of the entrance to the site, with the traffic lights for the junction located approx. 4m to the east of this existing access, resulting in the existing entrance for this dwelling being located between the traffic lights on the junction. It is proposed to block up the existing entrance, realign the existing traffic lights and junction and open a new entrance along the northeastern boundary of the site, approx. 26m from the relocated traffic lights.
- 7.7. It is clear, from site inspection, that the existing entrance to the site gives rise to a serious traffic hazard given its proximity to the existing traffic controlled junction and given its location between the traffic lights on the junction. There are also visibility issues relating to the location and height of the boundary wall to the front of the site.

Within such an urban context, it is not always feasible to have a perfect arrangement of accesses to junctions given how urban areas evolve over time and given amendments to road designs and layouts as areas grow. As noted in the area engineer's report, the existing situation is not ideal and an improvement to it is welcomed. The movement of the existing entrance to the eastern extremity of the site will, in my view, facilitate significant improvements to the site boundary and kerblines at the southeast corner of the junction and will overall give rise to an improved junction layout, as well as improved safety for those entering/leaving the site.

- 7.8. I note that clarification of information was recommended by the area engineer, following receipt of further information, to address the detail of the design, however a condition was applied to address the issue, which was worded by the area engineer. It is clear that the area engineer is of the opinion that a design solution is feasible and it is not uncommon to agree such matters by way of condition. I do not consider the two reports on file to be contradictory. It is also clear that the design solution put forward by the applicant requires further details to be agreed with the planning authority, as per the requirements of condition 14. The planning authority, as stated in their further response to the applicant's submission on the appeal, give their permission to the applicant to carry out works to the boundary. Given that these works are required to facilitate an increased density of development on the site to the benefit of the applicant, it is not unreasonable in my view that the applicant undertake these works. Should the Board be minded to grant permission, I am of the view that a condition is required in relation to the proposed revised junction design, including amendments to the boundary, to ensure the proposed development does not give rise to an increased traffic hazard at this location.
- 7.9. Having reviewed the third party's concerns in relation to the revised entrance design not complying with DMURS, I am satisfied that given the distance of the proposed dwellings from the front boundary of the site, that a design solution is feasible and will not impact materially on the overall layout of the development. Should the Board be minded to grant permission, this issue can be addressed by way of condition.

Residential Amenity

- 7.10. The proposed development is to comprise five residential units, which results in a density of 17 units per hectare on this site. Given the site's location at the western development boundary of Sligo Town, its proximity to a busy junction, and the low density character of this area, the proposed density is considered acceptable.
- 7.11. Further information was submitted to the planning authority, which resulted in design amendments to the dwellings, including the relocation of dwelling no. 1 approx. 3m forward of the building line of the existing dwelling and approx. 2m behind the building line of the dwelling to the east, a redesign of the extension to the existing dwelling which is to be subdivided, a reduction in height of dwellings 4-5, in addition to information in relation to boundaries and road design.
- 7.12. The third party contends that proposed dwelling no. 1 will have a detrimental impact on existing levels of residential amenity enjoyed by the property to the east of no.1, with the proposed dwelling too close to the boundary. The proposal will result in overshadowing and be overbearing, with loss of light to the double height side windows serving the large hallway area comprising a stairwell, which is also in use as a play area for the children in the house.
- 7.13. House no. 1 is located approx. 2m behind the building line of the dwelling to the east and I note the dwelling to the east is set at an angle away from the proposed dwelling. The dwelling is positioned approx. 1-1.5m from the boundary and there is a distance of approx. 5m between the dwellings. Given the overall height of the dwelling is 7.8m, which is largely in line with the neighbouring property, and given the proposed dwelling is set back from front building line of the neighbouring dwelling to the east, I am of the view that the proposed dwelling will not be overbearing by virtue of its position, scale and design. With regard to the issue of loss of light/overshadowing, the proposed dwelling is located to the west of the neighbouring dwelling and the neighbouring dwelling is angled at this boundary, therefore while there will be some impact on the side windows in the evening, this is not in my view so significant as to warrant the omission or relocation of the dwelling from the site. Given the scale of the double height window to the side of the dwelling to the east, which serves a hallway and stairs, and is also used by small children as a play area, the hallway will still receive a significant amount of light with the proposed development in place. This is an urban area and the proposed dwelling in terms of its

building line, design and distance to the boundary is in my view reasonable and in accordance with the proper planning and sustainable development of the area.

- 7.14. While the third party has suggested demolition of the existing dwelling on site should be considered, I am of the view that the proposed reuse of the existing dwelling, which is in good condition, is a more sustainable option over its demolition and its reuse is to be welcomed.
- 7.15. With regard to the redesign of the existing dwelling submitted by way of further information, I am of the view that the redesign and subdivision of the dwelling as originally proposed with the application (received 15 June 2017) is preferable to the revised design (received 16 Jan 2018). Given the dwelling is to become two separate units, the design of the extension should not be subsidiary to the existing dwelling. The original design allows, in my view, for a better symmetry to the subdivision and allows for an alignment of the building lines of the two dwellings. Should the Board be minded to grant permission, I am of the view that drawing titled 'existing house redevelopment no.s 2 & 3', received 15th June 2017, should be adopted in lieu of the design received on 16th January 2018. The amendments to the height of dwellings 4-5, as set out within the further information response, is in my view acceptable and will result in an improved contiguous elevation.
- 7.16. The third party requests that the existing leylandii trees along the boundary within the appeal site should be removed given their poor overgrown condition and intrusion on the neighbouring property. The applicant is amenable to any condition in relation to this boundary that the Board may wish to attach.
- 7.17. The revised site layout plan indicates there are 23 leylandii trees along the front section of the eastern boundary of the site and there are 32 leylandii trees along the northern boundary. It is proposed to remove 18 of the trees along the northern boundary to facilitate the new entrance. It is proposed to plant 5 ash trees within the front open space and a copper beech hedgerow to the rear section of the eastern boundary. From site inspection it is noted that the leylandii trees along the eastern and northern boundary are very high at 8m and unmaintained, with the trees extending into the neighbouring site to the east. The existing boundary of fence and post has been damaged due to their overgrown condition.

7.18. Leylandii trees are a non-native evergreen species which are labour intensive in terms of maintenance due to their extremely rapid growth and they offer little landscape value, or value for wildlife given few species eat it or nest in it. Given the level of works proposed on the site proximate to the trees along the northern and eastern boundaries, including amendments to the boundary wall to create a new entrance and internal access road along the eastern boundary, there is a likelihood that the tree roots may be significantly damaged. In addition future regular maintenance of this tree type within the common area of this new development would be demanding. It is my opinion that the trees to the front section of the eastern boundary should be removed and replaced with a 1.2m block wall boundary between the front garden of this and the adjoining site, with a replacement native tree/hedgerow species to be planted on the inside of this boundary wall. Furthermore, I am of the view that the remaining 14 trees along the northern boundary should also be removed to facilitate works to the entrance and northern boundary and should be replaced with a more suitable native tree/hedgerow species which can contribute more to the wildlife and biodiversity value of the area. Should the Board be minded to grant permission, a condition in relation to this issue is recommended.

Appropriate Assessment

7.19. Having regard to the minor nature of the development proposed, which is located within the serviced built-up area of Sligo town and the separation distance to any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. It is recommended that permission is granted.

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Sligo County Development Plan 2017-2023, the Sligo and Environs Development Plan 2010-2016 (as amended), and the existing pattern of development in the area, in addition to the nature and scale of the

proposed development of five residential units, it is considered that subject to compliance with the conditions set out below, the proposed development would not give rise to a traffic hazard and would not seriously injure the amenities of the area or of property in the vicinity. 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 plans and particulars received by the planning authority on the 16th day of January 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) Design of dwelling no.s 2 and 3 shall be as per the design submitted to the planning authority on the 15th day of June 2017, as indicated on drawing titled 'existing house redeveloped nos. 2 &3'.
 - (b) The leylandii trees along the northern section of the eastern site boundary shall be removed and replaced with a 1.2m high boundary wall, capped and plastered on both sides. The remaining eastern boundary, to the side and rear of house no.1, shall comprise a 2m high wall, capped and plastered on both sides.
 - (c) The leylandii trees along the northern boundary shall be removed and the northern boundary wall lowered in height, in line with the adjoining property to the east, or to a height required to meet visibility requirements, whichever is the lesser.
 - (d) A revised landscaping plan shall be submitted which shall include

provision for native tree/hedgerow planting along the eastern and northern boundaries of the site. All planting shall be carried out within the first planting season following completion of the development.

- (e) Details of the layout, the materials, and external finishes of all boundaries to the site, where being amended, and all screen walls/fences between the dwellings shall be submitted to, and agreed in writing with, the planning authority.

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 visual amenity.

- 3. This permission is for 5 residential units only.

Reason: In the interests of clarity.

- 4. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 5. The developer shall comply with the requirements of the planning authority in relation to works on the public road and boundary treatments and the developer shall submit the following:

- (a) A Project traffic management plan for all stages of construction traffic shall be agreed in writing with the Planning Authority before construction commences. The plan shall detail new site access arrangements for labour, plant and materials and shall indicate the locations of plant and machine compounds.

- (b) Revised site layout and elevation plans indicating amendments to the front (northern) and western boundary walls of the site to improve full junction intervisibility, to the satisfaction of the planning authority.

(c) Sightlines at the proposed site entrance shall be as per the requirements of the Design Manual for Urban Roads and Streets and to the satisfaction of the planning authority.

Prior to the commencement of development all works proposed on the public road shall be subject to written agreement of the planning authority.

Reason: In the interest of traffic safety and orderly development.

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

Reason: In the interest of public health.

7. Proposals for a development name, house/unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs and house/unit numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interests of urban legibility, and to ensure the use of locally appropriate place names for new residential developments.

8. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

9. 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 noise management measures and

off-site disposal of construction/demolition waste.

Reason: In the interests of clarity, orderly development and amenity.

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

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

Reason: In the interest of visual and residential amenity, and of sustainable development.

12. 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 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.

13. 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.

Una O'Neill
Senior Planning Inspector

31st July 2018