



An
Bord
Pleanála

Inspector's Report ABP-301286-18

Development	Construction of 4 no. detached, two storey houses with, internal roadway and site development works.
Location	Dunshaughlin, Co. Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	RA/170719
Applicant(s)	Karl, Erin and Roisin Madden.
Type of Application	Permission.
Planning Authority Decision	To refuse.
Type of Appeal	First Party
Appellant(s)	Karl, Erin and Roisin Madden.
Observer(s)	None.
Date of Site Inspection	18 th September 2018
Inspector	Deirdre MacGabhann

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1.0 Site Location and Description

- 1.1. The 1.06ha appeal site is situated to the north east of Dunshaughlin town centre. It comprises a two storey residential property 'Rosegraerin House' and its associated lands. Access to the site, and two dwellings to the south west of it, is from Lagore Road (L-5029) where a speed limit of 50kmph applies. The site lies in a residential area, with properties to the west and south of it. A new residential development is under construction to the north of the site.
- 1.2. Access to the site is via a narrow lane from the public road. The existing two storey property is situated to the north of the site. The site is bounded by mature vegetation on all sides. To the east of the property is a lower garden and a small orchard. These are separated from each other and the main house by mature hedgerows.

2.0 Proposed Development

- 2.1. The proposed development, as revised by way of further information (received on the 19th December 2017) comprises:
 - The construction of four large detached properties, to the east of the existing residential dwelling, properties B, C, D and E (property A is the existing property on the site). In total the floor area of the existing and proposed properties is 1,587sqm. Property C has accommodation at second floor. The ridge height of properties C, D and E is the same as the existing property. The ridge height of property B is c.1m lower (see Site Sections, drawing no. 16039-04, Rev A). Each property is T-shaped, with the master bedroom above living space extending to the rear of the property. Detached garages, proposed in the original plans for the development, have been omitted in the response to the request for further information, and two car parking spaces are proposed, instead, to the front of each dwelling.
 - Construction of an internal roadway from the existing access to the site, to serve the existing dwelling (two points of access) and the four new properties (see Key Plan, drawing no. 16039 04, Rev A). This includes a turning area to the north east of house 'A' and a pull in area on the internal access road to

the south west of house 'E' (see Proposed Road Layout, drawing no. C040, Rev P).

- A foul water pumping station to connect to the existing public sewer in Lagore Road.
- Storm water from the individual properties will be directed to a soakaway, with an overflow pipe to discharge into the adjacent drain (running along the south-eastern boundary of the site). Storm water from the internal access road will also discharge to an open drain having passed through a petrol interceptor and attenuation system (to the north of the site).
- Some of the existing trees and shrubs on the site will be removed to facilitate the development (see Existing Landscaping Plan, drawing no. 16039-06) and additional boundary and perimeter planting is proposed (see Proposed Landscaping Plan, drawing no. 16039-07), including a new bank of indigenous trees/shrubs along the south east and northern boundaries of the site (to replace existing Leylandii).
- The development will be constructed in accordance with the outline Construction Management Plan (19th December 2017).

2.2. As part of the development, the existing septic tank serving Rosegraerin House will be removed and the property connected to the public sewer, via the above arrangements.

2.3. In response to the request for further information the applicant clarified the following:

- Two of the four properties are for family members. It is not the applicant's intention to have the development taken in charge.
- The horseshoe shaped feature on site (see photograph 15) is a concrete block wall built around a well.
- Refuse trucks presently do not enter the property and it is the applicant's intention that this situation remain as is (bins are left on the roadside). A swept path analysis is provided for a 7.9m refuse truck (drawing no. 17150-01-0001) which indicates that refuse trucks can turn left out of the development by crossing over the centre line of the public road. The existing pattern of use is that larger vehicles (deliveries etc.) turn right when exiting the laneway.

- The requirement for a roadway width of 5.5m pre-supposes that the road will be taken in charge. The roadway width of 4.5m and 1.5m footpath is sufficient to provide for the traffic levels that will be generated on site, allowing for good traffic calming.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 22nd February 2018 the planning authority decided to refuse permission for the proposed development on two grounds, which in summary are:

- i. The details submitted demonstrate an unsatisfactory layout and proposal for access and egress. The existing junction is unsatisfactory and sightlines cannot be satisfactorily achieved, placing vehicular traffic and pedestrians at risk.
- ii. Having regard to the uniformity of design, scale of dwellings and layout of same, the proposed development would be out of character with the existing pattern of development in the area and would injure visual amenity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 16th August 2017 – This report refers to the planning history of the site, pre-planning consultations, national and local planning policy, submissions made, technical reports and reports by prescribed bodies. It assesses the application under a number of headings including principle, design and layout, open space, access and car parking, services, Part V, appropriate assessment and flooding. It recommends that further information is sought on a number of matters, including:
 - Justification for the low density of development and purpose of the development.

- Re-design of dwellings to include more traditional roof type, reduced overall ridge height, removal of proposed light well to house C, overlooking from south/south-eastern first floor windows.
 - Provision of public open space and landscaping of site. Details of historical feature shown in site plans.
 - Further information requirements set out in technical reports (see below).
 - Details of public lighting and application for exemption from Part V of the Planning and Development Act, 2000.
- 21st February 2018 – The report considers that further information submitted is generally acceptable, except for two outstanding matters and the report recommends refusing permission for the development on these grounds i.e. inadequate access, uniformity of design, scale and layout of the development and consequential impact on visual amenity.

3.2.2. Other Technical Reports

- Housing (4th July 2017 and 19th January 2018) – States that no Part V commitment is required for the development.
- Water services (10th July 2017) – Recommends further information in respect of detailed design of the surface water collection, treatment and disposal system (to encompass Sustainable Urban Drainage Systems), details of proposed petrol interceptor and inclusion of permeable paving into private driveways.
- Water Services (17th January 2018) – No objections subject to conditions.
- Road Design (17th July 2017) – Recommends further information, to include a swept path analysis of service vehicle turning movements at the junction of the internal access road with the local road, minimum width of internal roads and footpaths and provision of footpath along entire access road, turning movements of cars into and out of garages and size of turning areas within sites.
- Road Design (29th January 2018) – Recommends refusing permission on the grounds that the site access is not suitable for serving more than one house

(alignment does not satisfy sightline requirements, proposed pedestrian crossing is dangerous due to lack of visibility). The site appears to come close to county road L5040 and this would be a more favourable access point to these lands.

3.3. Prescribed Bodies

- Inland Fisheries Ireland (10th July 2017) – Recommends conditions regarding construction and operation of the development having regard to its location within the upper catchment of the Broadmeadow River, an important salmonid system with Brown Trout throughout and Salmon in the lower reaches.
- Inland Fisheries Ireland (16th January 2018) – Have concerns regarding the upkeep and maintenance of the pump sump and rising main for the discharge of foul water.
- Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (25th July 2017) – Recommends archaeological testing given the proximity of the development to the zone of archaeological potential around Dunshaughlin town (ME044-033).

3.4. Third Party Observations

- Cllr. Damien O'Reilly – Supports the proposed development.
- Applicant – Refers to the submission by IFI (above) and proposes a centrally located beacon to ensure visibility of any problems with the operation of the waste disposal system and online monitoring, in addition to the employment of a service contractor for inspections/servicing. It also proposes that the service contractor be set up to received notification of malfunctions of the system.

4.0 Planning History

4.1. The following are relevant to the appeal:

- PA ref. RA/170626 – Incomplete application for four detached properties on the appeal site.

- PA ref. 97/1354 – Application for 4 no. dwellings on the appeal site, withdrawn.

5.0 Policy Context

5.1. National Policy

- Urban Design Manual, A best practice guide (DEHLG, 2009).
- Sustainable Residential Development in Urban Areas (DEHLG, 2009).
- Development Management Guidelines (DEHLG, 2007).

5.2. Meath County Development Plan 2013 to 2019

- 5.2.1. Dunshaughlin is designated as a 'Moderate Sustainable Growth Town' in the current development plan for the county. Recognising its existing residential use, the appeal site is zoned A1, in the Dunshaughlin Local Area Plan 2009-2015, '*to protect and enhance the amenity of developed residential communities*'. The vision for the zoning is to protect existing residential areas from unsuitable development, which would affect the residential amenity of such areas.
- 5.2.2. Chapter 11 of the County Development Plan, Development Management Guidelines and Standards, sets out standards for residential development, including in section 11.1.7 principles of good urban design (these reflect design principles set out in the government's guidelines on Sustainable Residential Development in Urban Areas and Urban Design).

5.3. Natural Heritage Designations

- 5.3.1. Dunshaughlin is generally removed from sites of nature conservation interest. The nearest protected site lies c.9km to the north west of the town and comprises the River Boyne and River Blackwater SAC and SPA (site codes 002299 and 004232 respectively). The site also falls within the Nanny-Delvin catchment and the watercourse that runs along the southern boundary of the site drains into Rathoath stream to join Broadmeadow River. The Broadmeadow River ultimately discharges

into Malahide Estuary (an SPA, SAC and pNHA site codes 004025 and 000205 respectively), >15km to the south east of Dunshaughlin.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The first party appeal addresses the reasons for refusal and other matters raised by the planning authority in the course of its assessment. In summary grounds of appeal are:

Context

- 'Rosegraerin House' was an abandoned structure dating from c.1976 which the completed into a house by the applicant (Karl Madden). His children were brought up on the site and two now wish to build their own family homes on the land (Erin Madden and Roisin Madden). The proposed development is for the two Madden children and for sale in order to contribute to the cost of required infrastructure.
- The development is not a commercial one, but a 'family homestead' and will facilitate sustainable intergenerational living. One of the applicants proposes moving from the countryside into the site for more 'sustainable' living.
- A management company will be established to maintain common areas. It is not the intention of the applicant to have the development taken in charge.
- The planning authority's decision was subjective. The two issues could have been dealt by way of request for further information or condition/compliance drawings.

Density

- The Planning Report suggests that the site should accommodate a higher density. However, it treats the site as a greenfield site and ignores the existing use.

Road Layout

- The proposed access road has a 'shared' surface, which allows visually demarcated pedestrian areas, as well as the very infrequent, larger vehicles to

turn safely left when exiting on to Lagore Road. Sightlines of 70m can be provided in each direction at the exit (minimum sightlines are 45m for a 50kmph zone). The planning authority felt that main larger vehicle entering the site would be the weekly bin lorry. In reality these do not enter private roads/driveways and the three houses served by the lane leave bins on the footpath on Lagore Road. The only other larger vehicle would be the occasional furniture removal or electrical appliance delivery truck. This is so infrequent it should be ignored from a roads point of view. The existing driveway can cater for standard (family saloon) car traffic to enter and exit in a safe manner.

- The appellant refers the Board to **alternative proposals are submitted with the appeal**. These provide a widened driveway at the junction of the access road with Lagore Road, based on inclusion of land from the neighbouring property (written permission for this is attached to the appeal) – see drawing no. KC1368/C042/rev P3. These provide sightlines in excess of 45m.
- The suggestion that the applicant gain access to the site via third party lands (Gransheen Road/Ratoath Road) is inappropriate.

Design

- Meath County Development Plan advocates a mix of unit types and sizes in developments containing 15 or more units, with a ‘variety of design’ within a unified concept. This does not imply that developments of <15 houses be uniform in design. The proposed development is well designed and forms a unified concept, a crescent of four beautiful houses that each have small variations to make them diverse (see images in submission).
- The four houses range in size from 269sqm to 358sqm. Although large they are smaller in floor area than Rosegraerin House (420sqm) and they are not out of scale with other houses on similar sites in and around Dunshaughlin. Any town merits having a variety of houses. The applicants could choose to maximise their return on the site with a larger development but they are exercising their right to develop the site mainly for next generation (and beyond) family accommodation. The ridge heights of the proposed houses do not exceed that of the existing property.

- The four proposed houses are designed to be located a substantial distance from Rosegraerin House forming a crescent shape and addressing the property, with the original house sitting on its own site. The cruciform design of the dwellings breaks the volume of the new houses into cohesive elements, thereby distinguishing old from new. The new houses will be bright and attractive internally and the plan form makes more use of the south and south-west facing sides of the house. They conform to all required standards in the County Development Plan (private open space, overlooking, separation distances, parking etc).
- Dunshaughlin exhibits a huge variety of house types (see photographs attached to appeal). The development is designed by award winning architects who specialise in small unique housing clusters. The design intent is always on the site and surrounding environment and the client's brief.

Foul Waste and Stormwater

- A private foul waste pumping station is necessary due to the falls on site. This is costly for such a small development.
- The applicant has agreed with the owner of the adjoining lands (currently under construction for 96 housing units, RA/171239) that the development can connect into foul waste and surface water being provided under this development (drawings attached for adjoining development showing surface and foul water connection to appeal).
- The Planning Report (22nd February 2018) states that prior to commencement the applicant shall submit written confirmation agreeing to decommission the pumping station and rising main and connect to the foul system by gravity to lands to the north of the site, following on from any development of these lands.
- The applicant objects to such a condition, as they have no control over the development of these lands and should not be put in a position whereby a large capital cost is expended to a private pumping station, only to be decommissioned shortly afterwards. The applicants would be happy to connect to a gravity foul drainage if this option is available at the time of

construction, but should not be under compulsion to decommission within a certain time-period.

- The same applies to the stormwater drainage system.

Other Matters

- Roof lantern – Request that this be allowed on House C (shown in original plans but omitted in response to request for further information).
- Bond – It is not intended that this development be taken in charge. The Bond and Estate Monitoring financial conditions should, therefore, be omitted.

6.2. Planning Authority Response

6.2.1. In response to the appeal, the planning authority state that:

- The applicant is proposing alterations to the proposed access which materially changes the application (i.e. it represents the introduction of new information) and which may require an alternative boundary of the application site.
- The letter of agreement submitted by the adjoining landowner (for the revised details to the access road) is not supported by a legal document from the adjoining landowner.

6.2.2. The planning authority recommends that the applicant's proposals are assessed within a new planning application which would allow the input of relevant internal departments and prescribed bodies. Otherwise the planning authority consider that the matters raised in the appeal have been considered during their assessment of the application.

6.3. Appellant's Response to Planning Authority

6.3.1. The appellant makes the following comments on the planning authority's response to the appeal:

- Both matters are not material changes to the application/further information submitted.

- The removal of the wall does not alter the site boundary. The land will remain in the ownership of the current landowners. A letter of consent has been submitted. If permission was granted, a copy of the subsequent legal agreement could be conditioned. The proposed removal of a low boundary wall between two driveways, which does not materially affect the external appearance of a structure, is exempted development (P&D Act 2000, section 4/1/h).
- Aspect Developments, who are developing the adjoining land, are handling the planning application, wayleaves and easements to include a gravity connection from Rosegraerin House. This is a preferable solution, by all parties, to the drainage of the site. The appellant requests the Board to allow direct connection to the public foul main on the Aspect development instead of construction of a temporary private pumping station. However, for the purposes of the appeal, the appellant is content for the private pumping station to remain as part of the application (as the actual application for a gravity connection is being handled by a third party).

6.4. Observations/Further Responses

6.4.1. None.

7.0 Assessment

7.1. Having regard to the zoning of the appeal site, the information on file and my inspection of the appeal site I consider that the key issues for this case relate to, and be confined to, the matters raised in submissions, as follows:

- Principle and density.
- Traffic hazard.
- Design.
- Wastewater and surface water.
- Bond.

7.2. Principle and Density

- 7.2.1. The appeal site is currently in residential use, with a single property on a large site. The site is zoned for residential development and government policies in respect of sustainable residential development in urban areas and policies of the Plan encourage higher residential densities at appropriate locations to encourage a more sustainable form of development. For Moderate Sustainable Growth Towns, the current County Development Plan encourages residential densities in excess of 35 units per hectare, with the actual residential density of any particular site determined by provision of a high quality residential environment, compliance with quantitative standards, the need to protect the established character and amenity of adjoining residential areas, landscape/other features and the capacity of infrastructure to absorb the development.
- 7.2.2. In this instance, the proposed development, which is situated close to the town centre, is considerably below the density guidelines (5 units on the c.1.06ha site). However, it lies on land that is zoned A1 i.e. to protect and enhance the amenity of developed residential communities, as opposed to A2 which provides for new residential communities. Further, the development on the site seeks to protect the residential amenity of the existing house on the site, thereby reducing the area for development. The development also comes forward in an area where, to the west of the site, there are detached properties on large sites. The applicant states that the development is brought forward by the applicant for family members (in part) and I note that it is served by a narrow, long access road which would not, of itself facilitate, a high density development.
- 7.2.3. Having regard to all of these factors, I consider that in this instance, the density of development on the appeal site whilst not ideal, is acceptable.

7.3. Traffic Hazard

- 7.3.1. The appeal site lies within the 50km/h speed limit zone. The Design Manual for Urban Roads and Streets, which applies to all urban roads and streets where the speed limit is 60km/h or less, set out a requirement for a forward visibility of 45m. In the interest of reducing traffic speeds, the design guidelines recommend minimising the width of carriageway to meet the needs of predominant users and the use of

shared surfaces in appropriate locations, including in homezones, neighbourhood and suburbs.

- 7.3.2. The current access to the site, provides sightlines of c.45m at a reduced setback from the edge of the public road (i.e. approximately 2-2.5m) and I noted, at the time of site inspection (unannounced) that bins were left at the end of the access road, indicating that bin lorries do not access the lane. The current lane is also narrow, varying width (c.3m in parts) and has no footpaths.
- 7.3.3. In the plans submitted to the planning authority, the applicant proposes use of the existing junction to the site for residential access only (bins serviced from the end of the lane) and upgrading of the access lane to provide c.1.5m footpath along its length and a c.4m wide carriageway.
- 7.3.4. The proposed development would result in an increase in use of the junction serving the site and the access road to it. However, given the relatively modest increase in vehicle trips (four additional residential properties) and the sightlines which are available at the junction, I would not consider this to be substantial, to excessively add to the loading at the junction or to the risk of accidents. Further, given the small number of properties to be accessed by the road, I consider that detailed design of the access road could be agreed with the planning authority, to provides safe passage for pedestrians and cyclists e.g. via provision of a shared surface, where with the use of appropriate materials and finishes, driving speeds are very low and pedestrian safety is prioritised.
- 7.3.5. I note that the planning authority have concerns regarding access to the site by larger vehicles. In response, the applicant has submitted the agreement of the adjoining landowner to widen the access to the site, as it meets the public road. This entails removal of part of the wall along the shared boundary with the adjoining property, but not works outside of the application area. The revised arrangement would enable larger vehicles to access the site and provide improved sightlines for all of those using the junction. If the Board are minded to grant permission for the development, this matter could be dealt with by condition. In this regard, I acknowledge the planning authority's view that the written agreement of the adjoining landowner is not a legal document. However, any permission granted, of itself would not convey a right to develop land and the applicant could only carry out

the development (and necessary junction improvements) with the permission of the adjoining landowner.

7.4. Whilst I would accept that the proposed alterations to the access route will result in a minor change to the public realm/roadside environment at the access to the site, there would be no adverse effects on third parties, who are not already party to the application and I do not consider that the proposed alteration to the access is a material change to the proposed development.

7.5. **Design.**

7.5.1. The planning authority has refused permission for the development on the grounds that, by virtue of its design, scale and layout, the development would be out of character with the existing pattern of development, injure visual amenity and establish an inappropriate precedent. The Planning Reports refer to the complicated style of the dwellings and the non-traditional proportions, roof types (Dutch hip-gable roof style provided) and layouts.

7.5.2. From my inspection of the plans, and properties in the vicinity of the site, I comment as follows:

- i. The appeal site is visually removed from surrounding residential development and does not, and will not with the proposed arrangements for landscaping, 'read' with existing off-site development. There is a wide range of house types and styles in the immediate area of the site and in Dunshaughlin. The proposed detached dwellings are sited on a curved access road. They address this internal access road and when viewed directly from the road, reflect width and height of the existing property on the site.
- ii. The properties have a T-shaped form. This reduces the bulk and scale of the properties when viewed from the public road (except as one arrives at the site) but provides a southerly aspect to the development.
- iii. The dwellings include a complexity of design feature mix of features which are somewhat disharmonious, e.g. the range of porch styles, mid-roof dormers, gablet/Dutch roof and substantial external chimneys (and light well originally proposed for House C). In addition, the features incorporated into

the design do not relate to its surroundings or to features associated with urban design in County Meath (traditional or contemporary).

- 7.5.3. Having regard to the above, I consider that the scale, form and layout of the proposed dwellings is largely acceptable on the site and would not give rise to any adverse effects on established residential amenity (existing or proposed) or the character of the area. However, visually I consider that the scheme would benefit from being simplified to address the matters referred to above. This issue could be dealt with by condition.

7.6. Wastewater and surface water.

- 7.6.1. The proposed development provides for the pumped discharge of wastewater to the public sewer and discharge of surface water via soakaways and an attenuation system (with petrol interceptor) to the adjoining watercourse, running along the northern boundary of the site.
- 7.6.2. These arrangements are considered to be acceptable by the planning authority and Irish Water, subject to condition, and provide for the standalone nature of the scheme.
- 7.6.3. In the longer term, it would be preferable for the development to discharge by gravity to the urban draining system, and I consider that this is a reasonable objective of the planning authority. If the Board are minded to grant permission for the development I would recommend a condition to this effect i.e. that the decommissioning of the proposed pumping station and rising main is required on connection to the adjoining lands.

7.7. Bond.

- 7.7.1. The government's guidelines on Development Management refer to the importance of providing adequate security to secure the satisfactory completion of residential development. Whilst it is the intention of the applicant that the development will not be taken in charge, circumstances can change, and I consider that it is prudent and consistent with government's guidelines that any grant of permission be subject to a bond.

7.8. Other Matters

- 7.8.1. Meath County Development Plan requires provision of open space in any residential development at a minimum rate of 15% of total site area. The proposed development makes no provision for public open space, on the grounds that it is not the applicant's intention to have the development taken in charge, the large gardens to be provided in the development and the proximity to other open spaces in the town.
- 7.8.2. Given the relatively small number of properties to be provided in the development, the large provision of private open space and the cul-de-sac nature of the development, I consider in this instance that if the Board are minded to grant permission for the development, a financial contribution towards open space provision is required in lieu of provision within the development.

8.0 Appropriate Assessment

- 8.1. The proposed development is substantially removed from any nearby Natura 2000 sites. Further, surface water will be discharged via soakpits and an attenuation tank with petrol filter, and wastewater via the public sewer. Having regard to these factors, 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.

9.0 Screening for Environmental Impact Assessment

- 9.1. Having regard to the modest nature the proposed development (four dwellings), its location within a serviced urban area, the arrangements for the disposal of surface and waste water and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

10.0 Recommendation

- 10.1. Having regard to my assessment above, I recommend that permission for the proposed development be granted.

11.0 Reasons and Considerations

Having regard to the location of the proposed development in an established urban area, on a site which is well screened from nearby development, the detailed design, orientation of the development, its distance from surrounding property and the arrangements for landscaping, it is considered that the proposed development, subject to compliance with the conditions set out below, is in accordance with the policies of the Meath County Development Plan 2013 to 2019, would not seriously injure the character of the area or detract from the residential amenity or value of property in the vicinity of the site and would be acceptable in terms of traffic safety and public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 19th day of December 2017, and by the further plans and particulars received by An Bord Pleanála on the 21st day of March, 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 arrangements for entrance to the site shall be as set out in drawing no. KC1368-C042-P3, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of traffic safety.

3. Prior to the commencement of development, details of the following shall be submitted to, and agreed in writing with, with the planning authority:
 - i. Revised plans and particulars to simplify the front elevation of the proposed dwellings (porch styles and roof details).
 - ii. Samples of all external materials.
 - iii. Detailed design of the access road to provide a shared surface over its length.

Reason: In the interest of visual, residential amenity and traffic safety.

4. The site shall be landscaped, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

5. 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.

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. On connection of the development to the adjoining lands, the pumping station and rising main shall be decommissioned.

Reason: In the interest of public health.

7. 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 the satisfaction of the planning authority, to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

8. 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 number of construction traffic vehicles to and from the site on a daily basis, off carriageway parking for all traffic associated with the development, noise management measures, disposal of demolition and construction waste, a scheme for dust and dirt control, repair of damage to the public road, environmental controls and hours of working.

Reason: In the interests of public safety and residential amenity.

9. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 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.

10. 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.

11. 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.

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 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.

Deirdre MacGabhann
Senior Planning Inspector

2nd October 2018