



An
Bord
Pleanála

Inspector's Report ABP-302638-18

Development

The construction of 75 no. dwelling houses, 14 no. residential serviced sites, a creche and all associated ancillary development works including a roundabout at the entrance to the site.

Location

Ballygorman Lower, Killumney, Ovens, Co. Cork

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

17/7165

Applicant(s)

Dennis O'Brien Developments (Cork) Ltd

Type of Application

Permission

Planning Authority Decision

Grant, subject to 44 conditions

Type of Appeal

Third party -v- Decision

Appellant(s)

Concerned Residents

Observer(s)

Killumney United Football Club

Date of Site Inspection

14th December 2018

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located 5 km to the west south west of Ballincollig town centre and 2.2 km to the south west of Junction 2 on the N22, known as Ballincollig West, adjacent to which lies the Dell EMC Works. The L-2216 runs from the N22 and it serves the townlands of Lisheens, Grange, and Killumney. Along this local road lies considerable ribbon development and several housing estates and it passes through Killumney Village, within which there are a number of retail and commercial businesses.
- 1.2. The junction between the L-2216, Killumney Road (east/west route), and the L-2218, Crossbarry Road (north/south route), lies within the north eastern corner of the site. The River Bride runs to the north of the Killumney Road and the embankment to a former railway line runs to the south of this Road. This embankment has been incrementally redeveloped to provide one off dwelling houses. The site lies to the south of it.
- 1.3. The site essentially comprises three fields, to the north east, the north west, and the south east. These fields are of undulating topography, which rises towards the south and the south west. The northern eastern field has been partially developed on its eastern boundary to provide a one-off dwelling house and the north western field contains a pronounced hollow, which occurs centrally on its eastern side. The site extends over an area of 7.8 hectares.
- 1.4. The majority of the boundaries to the aforementioned fields are denoted by means of tree lined hedgerows. Timber post and wire fences denote the boundaries around the eastern one-off dwelling house and the one-off dwelling houses to the north of the site. Access to the site is available from the north eastern and the north western corners, via farm gates, from Crossbarry Road and Killumney Road, respectively.

2.0 Proposed Development

- 2.1. As originally submitted, the proposal would have entailed the construction of 75 no. dwelling houses (10,788.60 sqm) (16 no. 3-bed and 59 no. 4-bed), 14 no. residential serviced sites, and a creche. As amended, the proposal would entail the construction

of 71 no. dwelling houses (9949.80 sqm) (16 no. 3-bed and 55 no. 4-bed), 8 no. residential serviced sites, and a creche.

- 2.2. The site would be accessed off a new roundabout which would be formed at the junction of Killumney Road (L-2216) and Crossbarry Road (L-2218). This access would connect to a new on-site road network, which would include a new link to the existing eastern one off-dwelling house. (This link would facilitate the closure of the existing access to this dwelling house directly off Crossbarry Road). The existing agricultural access would be closed. The proposed creche and its accompanying car park would be sited to the south of the said dwelling house and the residential serviced sites would be sited over the majority of the south eastern field.
- 2.3. The road network would be accompanied by footpaths and footpath links, e.g. between the ends of cul-de-sacs and the spine road and the north western corner of the site and Killumney Road beyond. This network would be lit and water supply and foul and surface/storm water drainage arrangements would be placed within it. Open space would be provided throughout the site and it would include 3 no. kick-about areas, 2 no. local play areas, and 1 no. neighbourhood play area.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information and clarification of this information, permission granted, subject to 44 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information was requested concerning density, house types and their siting adjacent to existing dwelling houses, the usability of open space, trees, historic railway structures and a multiplicity of points of detail with respect to the design and layout of the proposal and public lighting. Clarification of this information was requested concerning density and the proposed junction, which would serve the site.

3.2.2. Other Technical Reports:

- IFI: Condition precedent requested concerning the upgrading and full commissioning of the public sewerage system prior to first occupation.
- IW: No objection, standard notes added.
- Public Lighting: Clarification requested.
- Housing Officer: No objection, subject to condition.
- Estates: Following receipt of clarification of further information, no objection.
- Area Engineer: Further information requested, no comments subsequently received.
- RDO: Following receipt of clarification of further information, no objection, subject to conditions.
- Engineering: Clarification requested of proposed storm water discharge to the River Bride and any implications for flood risk.
- Coastal Management & Flood Projects: No objection, subject to implementation of proposed SuDS measures.

4.0 Planning History

Pre-application consultation occurred on 20th July 2017.

5.0 Policy Context

5.1. Development Plan

Under the Blarney Macroom Municipal District Local Area Plan 2017 (LAP), Killumney/Ovens is identified as a key village and the site is shown as lying within the settlement boundary. Objective No. DB-01 states “Within the development boundary encourage the development of up to 251 additional dwelling units during the plan period.” Under Table 4.1 the normal recommended scale of any individual scheme is 50. An accompanying note states that “Individual schemes in excess of the recommended scale...may be considered where it is demonstrated that the

overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement.”

5.2. Natural Heritage Designations

Cork Harbour SPA (site code 004030)

Douglas River Estuary pNHA (site code 001046)

Great Island Channel SAC (site code 001058)

Great Island Channel pNHA (site code 001058)

6.0 The Appeal

6.1. Grounds of Appeal

- The density of the proposal would materially contravene the LAP, which caps dwelling numbers at 50 for any one site and less than that if it is peripheral. The reduction from 75 to 71 dwelling houses and from 14 to 8 serviced sites was deemed initially by the Planning Authority to be inadequate and yet permission was, nevertheless, granted.

Attention is drawn to the “detailed engagement” between the applicant and County Council engineers at the further information stage. Details of such engagement should be made public.

Attention is drawn to the absence of public consultation exercises following receipt of both further information and clarification of this information. Hence the opportunity to comment was denied and the Planning Authority in making its decision was not in a position to weigh representations that would otherwise have been made by the public.

Under Objective DB-01 of the LAP, a cap of 251 dwellings is placed on Killumney/Ovens and yet, prior to the submission of the current application, permission has already been granted for 316 dwellings of which 177 are under construction.

The proposed 71 no. dwellings would exceed the existing number of dwellings in Killumney Village and so it would be overly dominant and intrusive vis a vis the Village. The inclusion of the site within the settlement boundary is critiqued.

- General Objective GO-01 of the LAP states that where a public waste water treatment plant is absent, as is the case in Killumney/Ovens, new housing schemes are not to proceed. While Irish Water propose to install a public sewerage system that would be connected to the Ballincollig WWTP, this is as yet future and planning permission for the same has yet to be applied for. The Planning Authority's decision on the current application contravenes the said Objective.
- The applicant's financial contribution towards the upgrade of the public sewerage system and improvements to roads and footpaths is only to be expected as such works would facilitate its development. Attention has not, however, been given to the pressure that exists upon places in the local primary school. Such pressure arises from recent residential development and it would be exacerbated by the current proposal.

In the light of the foregoing considerations, the appellants consider that far from being plan-led the current proposal is developer-led. Prior to the inclusion of the site within the settlement boundary, permission for less dense development was twice refused and the said inclusion was not needed insofar as there was sufficient land available for housing within the settlement boundary.

Reliance upon Dell EMC to justify a higher density now is misplaced as this firm has been in-situ since 1988 and its workforce has been at its current level since 2001, although some decline is presently occurring.

Other housing developments have been to the east of Killumney Village and so near to the motorway network, whereas the current proposal would be to the west. Consequently, traffic generated would pass through the Village.

The applicant contended that 201 dwellings of the aforementioned 316 would not proceed. However, in the interim, permission for 156 dwellings has begun

to be implemented and permission is being renewed for the remaining 45 dwellings.

Killumney Village is not well-placed with respect to public transport as it is only served by a bus twice a day.

- While the proposed roundabout junction would afford footpath access to future residents of the site, existing residents to the north of this site would not be provided for in this respect. Their needs should be factored-in to this junction, too.

The RSA refers to two reported traffic incidents since 2006 and yet local knowledge would indicate that at least two occur annually. Furthermore, forward visibility available on approach from the west is limited and in need of speed reduction measures.

- The applicant's response to neighbour amenity concerns has been minimal. The balance of development is such that, were the serviced sites to be sited in the northern portion of the site, the impact upon such amenity would have been much less.
- The validity of the application is questioned in the light of the following:
 - The residents of the existing bungalow surrounded by the north eastern portion of the site indicate that they have not agreed with the applicant to have their access relocated through this site.
 - Two strips of land needed for the proposed roundabout junction lie within private ownership and consent for inclusion of the same in the application has not been forthcoming.

The submitted plans fail to show a dwelling house that is under construction on a house plot to the north of the site.

Concern is expressed that run-off from the access road would add to flooding that occurs at the junction in question. Concern is also expressed that storm water discharge into the River Bride would heighten the flood risk posed by this River.

Infrastructure deficits pertain to Killumney Village, e.g. there are a dearth of footpaths, and conditions requiring the same have failed to be complied with/enforced in the past.

Exception is taken to the revision of the finish proposed to the northern boundary wall from stone to render, as this finish would be a maintenance liability that would be unlikely to be met in the future.

6.2. Applicant Response

Compliance with current planning policy

- The LAP shows the site as lying within the development boundary. As it undertakes to encourage 251 additional dwellings within this boundary, the proposal would be in compliance.
- While the scale of development is normally recommended to be no more than 50 dwellings, proposals in excess “may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement.”

The proposal can be disaggregated into the primary residential area, which would have a net density of 16.1 dwellings per hectare, and the more peripheral serviced residential sites. This density would lie within the CDP’s Medium Density “B” of 12 – 25 dwellings per hectare. Likewise, it would lie within the range of 15 – 20 dwellings per hectare, cited by the Sustainable Residential Development in Urban Areas Guidelines (SRDUA), “in order to offer effective alternatives to the provision of single houses in surrounding un-serviced rural areas”.

Apart from Grange Manor housing estate, Killumney Village is composed of relatively small housing schemes. The scale of the proposal would be an appropriate extension to this Village, which is conveniently located in relation to large employers, e.g. Dell EMC, and which offers a good range of shops and community facilities.

Waste Water Treatment Plant

- Irish Water advises that the Killumney WWTP is to be upgraded from 110 PE to 750 PE over a 9-month timeframe and a new public sewer from Ballincollig to Killumney, including pumping stations, is to be constructed over a 16-month timeframe.

The appellant's cited Objective GO-01 of the LAP, which states that, in the absence of a public WWTP, only individual dwelling houses served by private WWTPs are to be considered. It thus contends that the current proposal would be premature. However, given the imminent start of the aforementioned projects, the attachment of a condition precedent linking first occupation to these projects is an appropriate way to proceed.

Traffic safety and access

- The proposed roundabout would replace the existing "T" junction, which affords a poor westerly sightline to drivers approaching along Crossbarry Road. Following receipt of clarification of further information, the plans for this roundabout were supported by the RDO.

The appellant's concern over footpath provision for residents of dwelling houses to the north of the site is misplaced. At present such provision is absent, whereas under the proposal a partial contribution would be made to meeting this need, insofar as it would be in-situ in conjunction with the proposed roundabout. (Likewise, the footpath link to Killumney Road from the north western corner of the site would afford an alternative route through the site to local residents). Any further contribution would lie outside the applicant's remit.

Visual impact and overlooking

- The siting and design of dwelling houses proposed for the northern strip of the site have been prepared in a bid to ensure that overlooking would be minimised. Thus, for example, the standard separation distance of 22m would be exceeded by the achievement of distances between 38 and 42m. Likewise, a 2m high wall would be constructed beside the common boundary to augment screening afforded by existing vegetation.

- The density of the primary residential area would not be “intensive”. The suggestion that the serviced residential sites should be along the northern portion of the site is set aside as it would be appropriate to have these sites where they are proposed, i.e. next to the retained agricultural land to the south of this site.

Letters of consent

- Contrary to the appellant’s contention, the application is valid. Thus, the alternative access arrangements through the site to the one-off dwelling house on the eastern boundary of this site have been agreed with the residents concerned. Likewise, lands needed to provide the footpath in conjunction with the proposed roundabout are under the control of Cork County Council and consent to their inclusion in the application was obtained from the same.

Storm attenuation

- Attention is drawn to the location of the site within Zone C for the purposes of flood risk. Attention is also drawn to the storm water drainage scheme that would serve the developed site. This scheme would incorporate attenuation measures that would be designed to cope with 1 in 100-year flood events and to ensure the maintenance of an equivalent greenfield run-off rate. Ultimately, discharge would be to the River Bride, but in the circumstances described, no exacerbation of flood risk attendant upon this River would arise.

Local infrastructure deficit

- The appellant cites an example of a footpath condition that it contends was not complied with by a developer elsewhere in the locality. Consequently, it lacks confidence that infrastructure required in connection with the current proposal will be delivered upon.

The said condition has no bearing on the current site and the applicant accepts the conditions attached to the draft permission with respect to infrastructure provision.

6.3. **Planning Authority Response**

None

6.4. **Observations**

Support is expressed for the appellants. The observer is still waiting for a playing pitch, notwithstanding previous agreements with developers concerning the provision of the same. Three other housing proposals are cited as progressing without such provision and the hope is expressed that all extant permissions for housing will be reviewed.

6.5. **Further Responses**

The appellant has responded to the applicant's response.

Compliance with current planning policy

- Concern is reiterated over the total number of dwellings that are already the subject of extant permissions, a total that exceeds the cap cited in the LAP. The proposal thus materially contravenes this Plan.
- Attention is drawn to Table 2.3 of the LAP, which records that in Killumney/Ovens Irish Water has limited or no spare water services capacity.
- Attention is also drawn to the one-off dwelling houses to the north of the site. All but the most easterly of these dwelling houses lies outside the development boundary and yet the entirety of the site lies within it, thereby illustrating its peripheral location in relation to the existing village.

Waste Water Treatment Plant

- Attention is drawn to the new public sewer cited by the applicant. This has yet to obtain planning permission and in fact a catchment survey of the Greater Ballincollig Area is presently being undertaken to understand its waste water needs. Accordingly, the timeline cited should be seen within the context of a more likely 5-year timeframe. In these circumstances, it would be premature to accede to the current proposal.

- Attention is also drawn to the proposed upgrade of the Killumney WWTP. Again, this project has yet to obtain planning permission and it faces several challenges relating to the Plant's location within the flood plain of the River Bride and the need to maintain water quality for fisheries. Already the additional capacity proposed would be taken up by extant permissions and so this capacity would be of no assistance to the current proposal.

Traffic safety and access

- Existing hazards faced by pedestrians would be exacerbated by the proposed roundabout. These hazards would be relieved by a footpath, which should be provided along the northern side of Killumney Road opposite the row of dwelling houses on its southern side that are adjacent to the site.

Visual and overlooking impacts

- Previous concerns are reiterated.

Letters of consent

- Attention is drawn to two households that claim that the site would encroach upon their properties and yet they did not consent to the current application.
- The residents of the existing one-off dwelling house eastern boundary of the site state that a previous agreement to re-route their access through the site related to a different development and so it does not hold good for the current proposal.

Storm attenuation

- With the frequency of heavy storms, the proposed attenuation tanks should be sized for 1 in 250-year flood events.
- The site does experience surface water run-off from higher lands to the south and a hollow, within the north western field, floods. These aspects have not been addressed by the applicant.

Local infrastructure deficit

- Attention is drawn to the local national school in Ovens, which is at capacity, notwithstanding two large extensions. The corollary of such capacity is longer distance school runs and more traffic congestion.

7.0 Assessment

7.1. I have reviewed the proposal in the light of national planning guidelines, the CDP and the LAP, relevant planning history, the submissions of the parties, and my own site visit. Consequently, I consider that the application/appeal should be assessed under the following headings:

- (i) Legalities,
- (ii) Land use,
- (iii) Density,
- (iv) Visual and residential amenity,
- (v) Development standards,
- (vi) Traffic, access, and parking,
- (vii) Water,
- (viii) EIA – preliminary examination, and
- (ix) AA – screening.

(i) Legalities

7.2. The appellant draws attention to the north easternmost part of the site, which would be developed to provide a roundabout at the junction between Killumney Road and Crossbarry Road. It states that two local households have an interest in this part of the site and yet they have not given their consent to the current application. It therefore questions the validity of this application.

7.3. The applicant has responded by stating its understanding that the said part of the site is under the control of Cork County Council, which has consented in writing to the current application. It therefore concludes that its application is valid.

7.4. I note that the validation of applications is the prerogative of the Planning Authority, which has in this case validated the current application. I note, too, the submissions of the parties in this respect. The appellant has not submitted any documentary evidence to support its claims and the letter referred to by the applicant, while it refers to a folio number, is not accompanied by a plan showing the lands in question.

In the circumstances, I simply observe that both the local householders and the County Council are fully aware of the current application.

- 7.5. The appellant also draws attention to the household, which resides in the one-off dwelling house on the eastern boundary of the site. It states that this household is not agreeable to the proposed alternative access arrangements to this dwelling house that are comprised in the current proposal.
- 7.6. The applicant states that the household is in agreement. To this end a letter accompanies the application, as originally submitted, stating that the said access arrangements were a condition attached to the purchase of the site.
- 7.7. I note that there appears to be two differing understandings over whether an agreement currently exists. I note, too, that the household's dwelling house is currently accessed directly off Crossbarry Road and that this means of access could continue in the presence of the proposed development. Thus, while the alternative would be preferable from traffic management/road safety perspectives, its absence would not maroon the said dwelling house.
- 7.8. The appellant expresses concern that the further information and clarification of further information stages of the application's progression were not the subject of public consultation. Again, such consultation is at the discretion of the Planning Authority based on whether the information in question is deemed to be significant. The appellant also expresses concern over the reference to detailed discussions between the applicant and County Council engineers at the said stages and the lack of transparency in connection with the same. However, there is no requirement for the content of such discussions to be made public.
- 7.9. I conclude that there are no legal impediments to the Board assessing and determining the current application/appeal in the normal manner.

(ii) Land use

- 7.10. The LAP identifies Killumney/Ovens as a key village. The subject site lies within the settlement boundary. It is one of a number of sites within this boundary, which could be developed for housing. The LAP states that these sites would afford an opportunity for 251 dwellings to be provided over the life time of this Plan. It also states that extant permissions exist for 241 dwellings, leaving headroom for 10 dwellings.

7.11. The LAP explains that the figure of 251 dwellings is neither a target to be reached nor an absolute maximum limit but rather an indication of the number of dwellings that could reasonably be accommodated within a settlement over the life time of the Plan. Table 2.3 indicates that, in Killumney/Ovens, Irish Water services are in place “with limited or no spare water services capacity” and Sections 4.7.12 and 13 elaborate on the situation as follows:

The WWTP in Killumney/Ovens has sufficient capacity to accommodate further growth in the village. However, there is not a foul sewer network available.

The settlement is served by a public water supply from the Ballincollig/Inniscarra Scheme, part of the Harbour and City Water Supply Scheme. There are watermain issues which need to be rectified in order to cater for future development and capacity of pumping stations also an issue to be rectified.

Notwithstanding the LAP’s commentary, Irish Water has raised no objection to the proposal which, as it is for 71 dwellings, would exceed the aforementioned headroom figure of 10, by 61 dwellings.

7.12. The appellant and the applicant exchange views as to the prospects for the implementation of the aforementioned extant permissions. The case planner ventured the observation/opinion that “in tandem with the current housing crisis and the lack of development activity in the past 10 years due to the economic crash, it can be argued that consideration should be given to additional housing to ensure the delivery of housing, if other sites are not developed.”

7.13. The Planning Authority has forwarded copies of three extant housing permissions all of which lie within the Grange townland to the east of Killumney Village and within the development boundary. Details of these permissions are set out below:

- 16/7267: 72 dwellings (gross density 25 dwellings per hectare), granted on 9th June 2017,
- 18/4980: 156 dwellings (gross density c. 26.10 dwellings per hectare), time extension granted until 31st December 2021 (original application 06/12722 & PL04.224953), and
- 18/5900: 45 dwellings (gross density c. 10.35 dwellings per hectare), time extension granted until 31st December 2021 (original application 07/11996).

Accordingly, there are currently 273 dwellings with extant permissions, i.e. 32 more than the total cited in the LAP. This figure also exceeds the indicative figure of 251 by 22. Under the proposal a further 71 dwellings would be added.

- 7.14. The appellant contends that once the cap of 251 is exceeded the LAP is materially contravened. However, in the light of paragraph 7.11 above, the cap is an indicative one only and so I do not understand its exceedance to mean that a material contravention would automatically ensue.
- 7.15. I note from the aforementioned planning history that two of the proposals have been permitted over an extended period now. I note, too, from the appellant and my site visit that the site for 156 dwellings has recently begun to be developed. At the time of my site visit, development had not begun on the other two sites. In these circumstances, the observation/opinion of the case planner cited in paragraph 7.12 may be an appropriate one in the current housing crisis.
- 7.16. The appellant draws attention to Table 4.1 of the LAP, which states that 50 dwellings would normally be the recommended scale of any individual scheme in Killumney/Ovens. A note, which accompanies this Table states the following:

Individual schemes in excess of the recommended scale set out in the above table may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement.

Clearly, at 71 dwellings, the current proposal would exceed 50.

- 7.17. The appellant considers that the peripheral location of the site at the south western extremity of Killumney Village and the norm of smaller residential developments within this Village weigh against the appropriateness of acceding to the excessive scale of the proposal. The applicant responds by stating that the envisaged expansion of the Village by means of this proposal would be appropriate, given the proximity of major employers and given, too, the range of retail and community services that it affords.
- 7.18. Besides the proposed dwellings, the proposal would entail the provision of a 20-place creche, with a dedicated outdoor play area, and an accompanying drop-off, turning circle, and car parking spaces. As the proposal would be for more than 75 dwellings (when the serviced sites are included in the total), under the Childcare

Facilities Guidelines, such provision would be necessary and so its inclusion is appropriate.

7.19. I conclude that in principle there is no objection to the development of the site for housing and a creche, but that the appropriateness of the scale of the proposal will need to be revisited in the light of my assessment of density and amenity.

(iii) Density

7.20. The proposal, as revised, is for 71 dwellings plus 8 serviced sites on a site with an area of 7.8 hectares. Thus, its gross density would be 10.13 dwellings per hectare. The appellant draws attention to the fact that this proposal would comprise two distinct parts, i.e. the primary residential area composed of the 71 dwellings and the peripheral 8 serviced sites, and that these parts would have their own densities. Thus, for the purposes of analysis, the former density is of interest rather than the latter one. The applicant states that the net residential density of the primary residential area would be 16.1 dwellings per hectare.

7.21. Appendix A of the Sustainable Residential Development in Urban Areas (SRDUA) Guidelines advises on the calculation of net residential density. Thus, the area of open spaces serving a wider area, amongst other things, can be omitted from the calculation of site area. The proposed primary residential area would include 2 no. kick-about areas and a neighbourhood play area and a local play area. The applicant's above cited calculation of net residential density appears to omit all of these areas.

7.22. I note that the smaller of the kick-about areas and the neighbourhood play area would have the higher profile insofar as they would be sited within the vicinity of the entrance to the site and adjacent to the proposed creche. I note, too, that the larger of the kick-about areas and the local play area would be sited centrally within the primary residential area and hence in a more discrete spot. Accordingly, I am not persuaded that it is appropriate to omit both of these combined areas from the calculation of net residential density and so I consider the applicant's calculation to be an over estimate.

7.23. In Chapter 6 of the SRDUA Guidelines, advice is given on appropriate net densities for centrally located, edge of centre, and edge of small town/village sites. The LAP's plan of Killumney/Ovens does not identify its centre. The subject site lies to the south

of a row of one-off dwelling houses along the southern side of Killumney Road. Only the most easterly one of these dwelling houses lies within the development boundary and so the development of the site would represent an extension to the south western extremity of Killumney Village. Accordingly, the site is an edge of village one, and so net residential densities of 15 – 20 dwellings per hectare can be acceded to, as long as such lower density does not represent more than about 20% of the total new planned housing stock of the village.

- 7.24. Under Objective HOU 4-1 and the accompanying Table 3.1 of the CDP, if Killumney/Ovens is regarded as a “smaller town”, then Medium “B” net densities of between 12 and 25 dwellings per hectare would be appropriate.
- 7.25. The appellant cites earlier proposals for the site, which would have had a lower density than is now proposed, and it advocates that under any development scenario for this site a lower density would be appropriate. However, in the light of the aforementioned advice from the relevant Guidelines and CDP, I consider that, as the net residential density of the current proposal would lie either at or towards the lower end of the ranges cited, there is no scope to reduce it further, especially as it was already revised downwards slightly at the application stage.
- 7.26. With respect to the 20% cap cited above in paragraph 7.23, I have been able from the information available to me to estimate the gross densities for the three extant permissions cited in paragraph 7.13. Accordingly, it may be the case that permitted applications 16/7267 and 18/4980 would have net densities above 20 dwellings per hectare, but this would not be the case for permitted application 18/5900. If the dwellings proposed under this latter application are aggregated with those proposed under the current one, then the total arising would be equivalent to 33% of the overall total number of dwellings proposed under the extant permissions and the current application. Accordingly, the 20% cap would be breached by the current proposal.
- 7.27. Geographically, the subject site is furthest from the nearest junction on the N22 and it has a more rural context than the sites with extant permission. Accordingly, in these circumstances, it would be the site that would be least appropriate for densification. Thus, while I recognise that the emerging pattern of new housing in

Killumney and Grange would be insufficiently dense, I do not consider that the subject site is the one upon which to correct this pattern.

- 7.28. Given the location and context of the site, I conclude that the density of the proposal would be appropriate.

(iv) Visual and residential amenity

- 7.29. The site is composed of three fields, which lie to the north east, the north west, and the south east. Crossbarry Road passes to the east of the site and a row of one-off dwelling houses lie to the north along the line of a former railway embankment. The eastern fields rise initially at moderate gradients from the eastern boundary of the site and generally in a south westwards direction. Thereafter, these fields are the subject of milder gradients, which rise generally in a southerly direction. The north western field is the subject of gentle/moderate gradients, which rise in predominantly southerly directions, but also in south westerly ones towards its south western corner. This field contains a hollow that is centrally placed on its eastern boundary and which holds water. Field boundaries are denoted mainly by treelined hedgerows. A timber post and wire fence denotes the northern boundary with the aforementioned residential properties.
- 7.30. Under the proposal, vehicular access to the site would be by means of its north eastern corner and the primary residential area, the creche, and the majority of the proposed recreational space would be laid out in the north eastern and north western fields and the northern portion of the south eastern field. The serviced sites would be laid out in the remainder of the south eastern field, along with the outstanding proposed recreational space.
- 7.31. Under the proposal, the treelined hedgerow along the eastern boundary would be retained and so the site would be largely screened from view along Crossbarry Road. The one-off dwelling houses set within their own grounds along the southern side of Killumney Road would likewise largely screen the proposal from view, apart from at their eastern end where the site access would be visible. (To the south and west the site would abut farmland). Consequently, the proposal would be most visible from the said dwelling houses on the far side of the site's northern boundary and to the existing one-off dwelling house sited adjacent to the site's eastern boundary. Other one-off dwelling houses further to the west along the southern side

of Killumney Road would also be affected but to a diminishing degree in a westerly direction.

- 7.32. The appellant objects to the proposal on the basis that the amenities of the one-off dwelling houses to the north of the site would be adversely affected, due to the dominance of the proposed two-storey dwelling houses that would be sited closest to them and to overlooking of their rear elevations and rear gardens that would result, leading to a loss of privacy. It suggests that if the proposed serviced sites were to be sited along the northern portion of the site, then the said impacts would be eased.
- 7.33. The applicant has responded by drawing attention to the separation distances of between 38 and 42m that would be achieved between the said existing and proposed dwelling houses, distances that would exceed to the conventional separation distance of 22m. It also draws attention to the proposed 2m high wall that would be constructed along the northern boundary and to the retention of existing vegetation on this boundary. These measures would ensure that the aforementioned impacts would be mitigated.
- 7.34. The applicant considers that the proposed layout of the site would be appropriate insofar as the primary residential area would be sited nearest to the existing development represented by the row of one-off dwelling houses and the serviced sites would be sited along the majority of the interface between the site and farmland to the south beyond the development boundary.
- 7.35. I recognise that the setting and outlooks of the one-off dwelling houses would change under the proposal and that such change is the corollary of the LAP's extension to the development boundary. Within this context, I essentially agree with the points made by the applicant in relation to mitigation and site layout. That said, I consider that the mitigation afforded by the proposed 2m high wall would be enhanced by raising this wall to 2.4m and by its composition from natural stone.
- 7.36. Elsewhere on the site, I consider that where boundary walls would be publicly visible as a result of being adjacent to roads or open space that they, too, should be composed of natural stone.
- 7.37. The proposal would entail the construction of 71 dwelling houses of detached and semi-detached form. These dwelling houses would comprise eight house types of varying sizes and designs. Commonalities would arise through the use of traditional

forms, a consistent approach to window and door openings, and the specification of the same finishing materials throughout. A limited variety of finishes to hard surfaces would be provided, too.

- 7.38. Regrettably, the site layout would entail the loss of some existing trees and hedgerows within the site, as distinct from around it. Compensatory tree planting would occur throughout the site, e.g. along roadways and within areas of open space. An existing stone abutment from the days of the former railway would be retained albeit in a position adjacent to its existing one. A link with the site's history would thereby be maintained.
- 7.39. I conclude that the proposal would, subject to minor amendment, be compatible with the visual and residential amenities of the area.

(v) Development standards

- 7.40. The proposal would comprise 71 dwelling houses. In terms of mix, 2 house types would be for three-bed units, 16 dwelling houses in total, and 6 house types would be for four-bed units, 55 dwelling houses in total. In the former case, floorspace would range between 90 and 116.1 sqm and, in the latter case, floorspace would range between 135.5 and 183.3 sqm. Thus, while the mix of dwelling houses would be skewed in favour of four-bed units, this would be relieved somewhat by the range of floorspaces.
- 7.41. Seven of the eight proposed house types would provide accommodation that would either meet or exceed the recommended space provision and room sizes set out in Table 5.1 of the Quality Housing for Sustainable Communities: Best Practice Guidelines. The exception would be house type F, which would fall marginally short of the recommended overall floorspace of 92 sqm for a two storey five-person unit, at 90 sqm, and within this figure the recommended internal storage space would be inadequate. If the space underneath the staircase were to be fully utilised for storage, then some amelioration would be secured thereby. This could be conditioned. Each dwelling house would be accompanied by sufficient private open space.
- 7.42. Seven of the eight house type F dwelling houses would be allocated for Part V social housing. The County Council's housing officer has indicated that this would be acceptable.

- 7.43. The CDP's Objective SC 5-5 refers to the Planning Authority's Recreation and Amenity Policy. The applicant addressed this Policy in its Planning and Design Statement. Thus, the requirement that 12 – 18% of the area of the site be laid out as POS would be met insofar as 13.2% of the area of this site would be thus laid out, i.e. 1.03 of the 7.8 hectares. Furthermore, under the Policy, a points scheme is pursued whereby 1 point is attracted by every 6 dwelling houses. Thus, in the current case, the proposed 71 + 8 dwelling houses would attract 14 points. As 1 neighbourhood play area (1 point) and 2 local play areas (2 x 3 points) would be provided, 7 of the 14 points would be met on site. The threshold of on-site provision of 30% would thereby be exceeded.
- 7.44. The applicant draws attention to the 3-proposed kick-about areas. It states that as an 8000 sqm playing pitch would attract 42 points, each 190 sqm should be deemed to attract 1 point. As the extent of the proposed kick-about areas would aggregate to the equivalent of 35 points, the threshold of 14 points would be amply exceeded.
- 7.45. The applicant's above cited disaggregation of a playing pitch is an interpretation of the Recreation and Amenity Policy that is open to question. Thus, the total in this instance is greater than the sum of the parts. Furthermore, the shape and finished levels of the kick-about areas would militate against them being equivalent to mini playing pitches, i.e. they are informal areas. That said, I consider it reasonable to give some weight to these areas under the said Policy.
- 7.46. The observer expresses concern that Killumney United Football Club is still waiting for a playing pitch. The LAP addresses the provision of such a pitch under Special Policy Area X-01, which relates to a 12.61-hectare site at some remove to the east of the site.
- 7.47. I conclude that the proposal would, for the most part, meet relevant development standards.

(vi) Traffic, access, and parking

- 7.48. The proposal would generate vehicular and pedestrian traffic. Neither of the two existing field gateways from Killumney Road (L-2216) and Crossbarry Road (L-2218) were deemed to be appropriate vehicular access points for this proposal and so a new vehicular and pedestrian access point would be formed in the north eastern corner of the site in conjunction with the re-configuration of the existing T junction

between the aforementioned local roads as a roundabout. (A pedestrian only access point would be provided in place of the field gateway to the north western corner of the site). The design of the proposed roundabout was refined at further information and clarification of further information stages and such refinement was informed by Stage 1/2 RSAs. Essentially, this roundabout would combine three arms to facilitate the existing road network with an additional arm to facilitate access to the site. It would be accompanied by public footpaths, which would wrap around the eastern, southern, and western “sides” of the roundabout. The eastern public footpath would continue eastwards on the southern side of Killumney Road, crossing a stream in the process and terminating at a point opposite the end of the existing public footpath on the northern side of this Road.

- 7.49. The appellant draws attention to the termination of the proposed public footpath at a point to the west of the proposed roundabout, where the most easterly of the one-off dwelling houses begins on the southern side of Killumney Road. It states that a public footpath should be provided along the northern side of this Road to afford a dedicated pedestrian means of access to these dwelling houses. It also critiques the applicant’s proposed pedestrian provision.
- 7.50. The applicant has responded by stating that the requested provision lies beyond its remit and by countering the said critique. It draws attention to the pedestrian route that the proposed north western access point would afford to local residents as an alternative/partial alternative to walking along Killumney Road.
- 7.51. During my site visit, I observed that the existing baseline of pedestrian facilities along Killumney Road in the vicinity of the site is poor. The applicant’s proposals in this respect would go some way towards improving this situation. Furthermore, its view that the provision of an additional public footpath on the northern side of the said Road, opposite the row of one-off dwelling houses, would be beyond its remit is reasonable, insofar as these dwelling houses lie on the far side of the proposed site access from Killumney Village.
- 7.52. Given that the existing vehicular accesses to the site would be unsatisfactory for use in conjunction with the proposal, the proposed roundabout and new access should be provided in advance of any other development on the site. A condition to this effect should be attached to any permission.

- 7.53. The proposed on-site road network was, likewise, refined at further information and clarification of further information stages and such refinement was informed by Stage 1/2 RSAs. Thus, for example, standard traffic calming measures such as raised platforms at junctions would be introduced. Each of the proposed dwelling houses would be accompanied by two off-street car parking spaces in compliance with the relevant CDP standards.
- 7.54. I conclude that, in view of the likely traffic generated by the proposal, the access and parking arrangements envisaged would be appropriate and consistent with good traffic management and road safety.

(vii) Water

- 7.55. The proposal would be served by the existing public water mains in Killumney Road. The applicant has submitted a pre-connection enquiry application to Irish Water in this respect. Irish Water, as a consultee to the current application, has raised no objection.
- 7.56. I note that the LAP refers to “water main issues which need to be rectified in order to cater for future development”. I note, too, that none of the parties or consultees have stated that these issues have a bearing on the current proposal.
- 7.57. The proposal would be served by the existing public sewerage system in Killumney Road. The applicant has submitted a pre-connection enquiry application to Irish Water in this respect. Irish Water has advised the applicant that it is “preparing designs for new foul sewage infrastructure in the Killumney area to service the proposed development and other development lands in Killumney.” The applicant adds that it is “working with Irish Water to agree a design and funding solution for this infrastructure, which will be put in place by Irish Water in the near future.” Irish Water, as a consultee to the current application, has raised no objection.
- 7.58. The appellant cites General Objective GO-01 of the LAP, which states that, in the absence of a public WWTP, new housing is not to proceed. Given the inadequacy of the existing public sewerage system and given, too, that planning permission has yet to be obtained for any upgrade, the current proposal should thus be deemed to be premature.

7.59. The applicant has responded by stating that Irish Water proposes to construct a new public sewer from Ballincollig to Killumney over a 16-month period and to upgrade the Killumney WWTP from 110 PE to 750 PE over a 9-month period.

7.60. The appellant has responded further by stating that neither of the two projects have obtained planning permission and so it anticipates that rather than being imminent their likely construction periods are still some way off. It also states that the additional capacity would be “used up” by the extant permissions. Accordingly, it reiterates that the current proposal would be premature.

7.61. I would make the following observations:

- The distance between the site and Killumney WWTP is 0.9 km to the north east as the “crow flies” and so, if needs be, the construction of the new public sewer could presumably be prioritised to connect the two together.
- Under Class 58 of Part 1 of Schedule 2 to Article 6 of the Planning and Development Regulations, 2001 – 2018, a range of works undertaken by Irish Water are exempted development and so they do not require express planning permission. Accordingly, depending on the nature and extent of the projects cited above, they may or may not require planning permission.
- The bearing of extant permissions on the current proposal is one that I discuss under the second heading of my assessment.

7.62. In the light of the foregoing exchanges and observations, I consider that the risk of prematurity would be capable of being allayed by the attachment of a condition precedent to any permission. The IFI request that such an approach be adopted and the Planning Authority adopted such an approach in attaching condition 17 to its draft permission. This condition requires that no dwelling be occupied until water and sewage services are installed and functioning in accordance with the connection agreement with Irish Water, i.e. it assumes that the aforementioned projects are in-situ.

7.63. The proposal would be served by a surface water drainage system that would incorporate a primary attenuation tank for the main body of the site and a secondary one for the north eastern corner. These tanks would be sized to cope with 1 in 100-year storm events and discharges from the same would be controlled in each case

by means of a hydro-brake, set to limit flows to greenfield rates for a 1 in 2-year flood event. The secondary tank would also be accompanied by a grit sump and Class 1 by-pass separator. The ultimate discharge from the site would be piped via a wayleave to the River Bride to the north.

- 7.64. The aforementioned surface water drainage system would represent good practice, which could be extended further by means of other SuDS methodologies, such as the specification of permeable hard surfaces and soakaways.
- 7.65. The site lies within Zone C for the purposes of flood risk. Thus, while the River Bride to the north of the site is susceptible to flooding, this site is not the subject of any identified flood risk.
- 7.66. During the application stage, the Area Manager expressed concern that, given the incidences of fluvial flooding in Killumney Village, the discharge of surface water into the site might heighten the risk that the Village already faces. The Coastal Management and Flood Projects Engineer, however, advised that, on the basis of the proposed SuDS methodologies, this would not transpire.
- 7.67. During my site visit, I observed that there is a hollow in the north eastern field, within which there is a pond. Under the proposal, this hollow would be filled-in and so any risk that it might otherwise pose to public safety and/or pluvial flooding would be removed.
- 7.68. I conclude that the proposed water supply and drainage arrangements for the site would be satisfactory, provided, in the case of waste water, relevant Irish Water projects proceed. A condition precedent in this respect would be appropriate.

(viii) EIA – preliminary examination

- 7.69. The proposal is for 71 + 8 dwelling houses. Under Items 10(b)(i) and (iv) of Part 2 of Schedule 5 to Article 93 of the Planning and Development Regulations, 2001 – 2018, this proposal would be of a type that could potentially be the subject of a sub-threshold EIA. Accordingly, I have undertaken a preliminary examination of it and I have concluded that that there is no real likelihood of significant effects on the environment and so neither EIA nor sub-threshold EIA is necessary.

(ix) AA – screening

- 7.70. The site is neither in nor near to a Natura 2000 site. The nearest such sites are the Great Island Channel SAC (site code 001058) and Cork Harbour SPA (site code 004030). Storm water from the site would discharge to the River Bride, which flows into the River Lee and on into Cork Harbour and the Great Island Channel. Accordingly, there is a source/pathway/receptor route between the site and these Natura 2000 sites.
- 7.71. During the construction phase, standard construction methods would be used to address the possibility of contaminated surface water run-off from the site. During the operational phase, the proposed storm water drainage system would be fitted with attenuation tanks, hydro-brakes, and a grit sump and Class 1 by-pass separator, all of which would be standard construction methods integral to the design of the project. Accordingly, the rate of flow would be controlled, and pollutants would be intercepted. Thus, the amount and quality of water in the River Bride would be safeguarded.
- 7.72. The seabirds which are identified as the qualifying interests for the aforementioned SPA are unlikely to use the site for roosting and foraging, due to its distance from Cork Harbour and the surrounding hilly terrain. Thus, the loss of agricultural land entailed in the proposal would not have a significant effect on these interests.
- 7.73. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites Nos. 001058 and 004030, or any other European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Conclusion and recommendation

- 8.1. Under the first heading of my assessment, I concluded that there was no in principle objection to the proposal from a land use perspective. I also concluded that the scale of this proposal, which would exceed the recommended cap of 50 dwellings, would need to be revisited in the light of my assessment of density and amenity. Under the second and third headings of my assessment, I concluded that the density exhibited

by the proposal would be appropriate and that it would be compatible with the amenities of the area. Consequently, the scale of the proposal would be acceptable.

8.2. That permission be granted.

9.0 Reasons and Considerations

Having regard to the Cork County Development Plan 2014 – 2020 and the Blarney Macroom Municipal District Local Area Plan 2017, it is considered that, subject to conditions, the proposal would accord with the inclusion of the site within the settlement boundary around Killumney/Ovens and its density and scale would be appropriate for the site's location and compatible with the visual and residential amenities of the area. The proposal would accord with relevant development standards. Traffic generated by the proposal would be capable of being handled satisfactorily by means of a new access to the site, which would be provided in conjunction with the reconfiguration of the junction between Killumney Road and Crossbarry Road as a roundabout. An accompanying series of public footpaths would link the site to Killumney Village. Water supply and drainage arrangements would be satisfactory, provided a new public sewer is constructed between the site and Killumney WWTP and this Plant is upgraded. No EIA or AA issues would arise. The proposal would thus accord 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 submitted on the 1st day of May 2018 and by the further plans and particulars submitted on the 3rd day of August 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) The northern boundary wall to the site shall be composed of natural stone and it shall be 2.4 metres high.
 - (b) Elsewhere on the site, where boundary walls to gardens are publicly visible, they shall be composed of natural stone.
 - (c) The spare space underneath the staircases in the Type F dwelling houses shall be made accessible and used for domestic storage.
 - (d) Construction stage plans of the continuous public footpath on the eastern side of the proposed roundabout and along the southern side of Killumney Road shall be prepared.
 - (e) Details of the finishing surfaces to be laid in the play areas and the equipment to be installed in these areas shall be prepared.

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, development standards, and public safety.

3. No occupation of the dwelling houses and no use of the creche shall commence until the waste water sewerage system for the site has been constructed, commissioned, and connected to the public sewerage system.

Reason: In the interest of public health and in order to avoid pollution.

4. No occupation of the dwelling houses and no use of the creche shall commence until the water supply system for the site has been constructed, commissioned, and connected to the public water mains.

Reason: In the interest of public health.

5. No other development shall commence until the proposed vehicular and pedestrian access to the site has been constructed in conjunction with the

reconfiguration of the junction between the L-2216 and the L-2218 as a roundabout.

Prior to the construction of the proposed vehicular and pedestrian access and the accompanying roundabout, construction stage plans of the same shall be submitted to, and agreed in writing with, the Planning Authority. These plans shall be informed by further Road Safety Audits and they shall include details of signage, street lighting, surface finishes, roadside landscaping, and the re-siting of the railway abutment on the western side of the L-2218.

Reason: In order to ensure that satisfactory access to the site is available at all times, in the interest of good traffic management and road safety.

6. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development. This scheme shall include the proposed creche and the public open space.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.

7. The landscaping scheme shown on drg no. 17095/P/009, as submitted to the planning authority on the 3rd day of August 2018 shall be carried out within the first planting season following substantial completion of external construction works.

Prior to the implementation of the landscaping scheme, it shall be amplified to make explicit (a) which species, and how many of each species, would be planted as shown indicatively in this scheme, and (b) the species of existing trees and shrubs identified for retention. Such amplification shall be submitted to, and agreed in writing with, the Planning Authority.

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.

8. (a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.

(b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work is shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of the trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development with others of similar size and species. 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 secure the protection of the trees on the site.

10. No development shall take place until details of earthworks have been submitted to, and agreed in writing with, the planning authority. These details shall include the following:

(a) Soil and subsoil cross-sections.

(b) Plans and sections showing the proposed grading and mounding of land areas, including the levels and contours to be formed.

(c) The relationship of the proposed mounding to the existing vegetation and adjacent dwelling houses on the lands to the north of the site and the dwelling house adjacent on the eastern boundary of the site.

Development, including landscaping required by condition number 7 of this order, shall be carried out in accordance with the approved earthworks plan.

Reason: In the interest of residential and visual amenity.

11. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed in accordance with the phasing plan referred to in condition 6. Public open space shall be maintained as such by the developer until taken in charge by the local authority.

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

12. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the

vicinity.

13. 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:
 - (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) Location of areas for construction site offices and staff facilities;
 - (c) Details of site security fencing and hoardings;
 - (d) Details of on-site car parking facilities for site workers during the course of construction;
 - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
 - (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
 - (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
 - (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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 interests of visual and residential amenity.

19. Proposals for an estate/street name, house numbering scheme and

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

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

20. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the "Recommendations for Site Development Works for Housing Areas" issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

21. 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.

22. 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.

23. The developer shall pay to the planning authority a financial contribution of €186,256 (one hundred and eighty-six thousand, two hundred and fifty-six euro) 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.

Hugh D. Morrison
Planning Inspector

25th January 2019