



An
Bord
Pleanála

Inspector's Report ABP-303192-18

Development

PROTECTED STRUCTURE:

construction of an additional dwelling
to previously granted Reg. Ref.
4105/15 (An Bord Pleanála Ref.
PL29N.246430).

Location

Lands at the former Carmelite
Convent of the Incarnation, Hampton,
Grace Park Road & Griffith Avenue,
Drumcondra, Dublin 9

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

3378/18

Applicant(s)

Grelis Ltd.

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Audrey Bryan, Adrian Lewis & others

Observer(s)

Cllr Deirdre Heney

Date of Site Inspection

6th March 2019

Inspector

Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is located on the northwest side of Gracepark Road in Drumcondra, south of the junction with Griffith Avenue, approx. 3.5km northeast of Dublin City Centre.
- 1.2. The site, which has a stated area of 885sqm, is positioned along an existing entrance laneway between dwellings 45 and 47 Grace Park Road and forms part of a larger residential site to the rear of these dwellings known as Hampton (formerly institutional lands associated with the Carmelite Convent of the Incarnation), comprising 95 residential units, a crèche, a place of worship, and a nursing home (ABP ref PL29N.246430). The site is positioned on the western side of the access laneway, along the side and rear garden boundary of 45 Grace Park Road. The laneway is a permitted pedestrian and cyclist access route connecting Hampton to Grace Park Road and was formerly the main vehicular entrance to the convent site. Vehicular access to the proposed dwelling is from within the permitted Hampton development.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - 1.5 storey, one bed, 86.34sqm detached dwelling
 - Minor revisions to the granted layout and car parking serving dwellings no. 19-21 to provide one new parking space to serve the new dwelling
 - Revision to the rear garden area and boundary of 19 Hampton
 - Revision to the permitted pedestrian/cycle lane to accommodate the proposed dwelling, landscaping, boundary treatments
 - All associated site and engineering works

3.0 Planning Authority Decision

3.1 Decision

GRANT permission subject to 9 conditions, including the following:

C2: Development contribution

C4: Terms and conditions of reg ref 4105/15 shall be complied with

C8: Archaeology

C9: Requirements as set out by the Conservation Section shall be complied with

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

The Planning Officer's report generally reflects the decision of the Planning Authority. It is noted in the report that the site is not near the alignment of the Dublin Port Tunnel. Further information was requested in relation to potential overlooking from proposed dwelling 18 and 19 Hampton to the northwest/northeast of the proposed dwelling. The applicant highlighted the angle and separation distances between the properties and this was considered acceptable. The applicant was requested to reduce the eaves height along the boundary with 45 Grace Park Road to 3m and set the building 750mm from that boundary, provide railings along with hedging at the boundary and fit the rooflights with opaque glazing. A revised drawing addressing these points was submitted which was considered acceptable.

3.2.2. **Other Technical Reports**

Drainage Division: No objection.

RTPD Roads: No objection.

Conservation: No objection.

Archaeology: No objection.

3.3. **Prescribed Bodies**

Transport Infrastructure Ireland: It is noted that the parent permission has not demonstrated that the proposed works have been assessed by a qualified engineer with experience in the design of underground structures as stipulated in the 'Guidance Notes for Developers, The assessment of surface and sub-surface developments in the vicinity of the Dublin Port Tunnel', 2009 and Dublin City

Development Plan section 8.5.10, Policy MT22, and Appendix 6 Dublin Tunnel Structural Safety. This information should be required prior to any decision being made on any planning applications within the applicant's boundary in the interests of the protection of this important national infrastructure.

3.4. **Third Party Observations**

A number of third party observations were received, which are summarised within the grounds of appeal.

4.0 **Planning History**

3467/17 – Permission REFUSED (on same site as current application) for a three bed, two storey dwelling.

R1: Having regard to the location and scale of the proposed development, which is 0.5 metres from the side boundary wall with the private open space to the rear of the adjoining dwelling and with first floor windows which overlook the third party private open space, it is considered that the proposed development would result in an unacceptable level of overlooking and overbearing. The proposed development would therefore, by itself and by the precedent it would set for other development, seriously injure the amenities of property in the vicinity, be contrary to the provisions of the Dublin City Development Plan 2016-2022 and be contrary to the proper planning and sustainable development of the area.

PL29N.248901 (DCC ref 2839/17) – Permission REFUSED (2017) for one additional dwelling, for reason related to proposal materially contravening condition 2(a) and 2(b) of the parent permission (PL29N.246430), which required the application lands to be included as part of the public open space of the overall development and retention of trees and due to the overall negative qualitative impact of the proposal on open space.

PL29N.246430 (DCC ref 4105/15) – Permission GRANTED for 95 residential units, crèche, place of worship, and a nursing home (ABP ref PL29N.246430).

5.0 Policy and Context

5.1. National Policy

- Project Ireland 2040 National Planning Framework (2018)
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (DEHLG 2009) and the accompanying Urban Design Manual: A Best Practice Guide (DEHLG 2009)
- Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007)
- Design Manual for Urban Roads and Streets (DMURS) (DECLG and DTTS 2013)

5.2. Dublin City Development Plan 2016-2022

- **Zoning Objective Z1**, the objective for which is ‘to protect, provide and improve residential amenities’. The lands to the rear of the site which have been developed with housing and which the subject site will overall form a part of, is zoned Z15.
- **Chapter 5:** Quality Housing.
- **Section 16.10.2:** Residential Quality Standards, Houses. This section adopts the standards for living spaces in houses as set out in section 5.3 of the DEHLG document Quality Housing for Sustainable Communities, which sets a target floor area of 102sqm for a 3 bed/5 person house (3 storey); 110sqm for a 3 bed/6 person house (3 storey); and 120sqm for a 4 bed/7 person house (3 storey).
- **Section 16.10.9:** Corner/Side Garden Sites. This section refers to several criteria for such houses, including character of the street, compatibility of design and scale, building lines, impact on residential amenities and open space standards.
- **Section 16.10.10:** Infill Housing.

The following policies are relevant:

- **Policy QH1:** To have regard to the DEHLG Guidelines on ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007)....
- **Policy QH8:** To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.
- **Policy QH21:** To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.
- **Policy QH 22:** To ensure that new housing development close to existing houses has regard to the character and scale of the existing houses unless there are strong design reasons for doing otherwise.

5.3. **Natural Heritage Designations**

The site is not located within or adjacent to a Natura 2000 site.

5.4. **EIA Screening**

Having regard to the minor nature and scale of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, 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.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A third party grounds of appeal has been submitted by the residents of 45, 47 and 49 Grace Park Road. The issues raised are summarised as follows:

- The pedestrian/cycle lane would be compromised as a result of the development.
- Planning permission was previously refused for a dwelling at this location and the reason for refusal in terms of overlooking and overbearing has not been overcome. The proposal will be particularly overbearing on no. 45 given the proximity to its boundary wall.
- Planting of 2.5m trees will negatively impact on no.45 and be overbearing on its garden.
- The proposal will result in significant overlooking of third party private open space. The houses are already overlooked by the recent construction of three storey dwellings to the rear.
- The proposal impacts on development/extension potential of no.45 and no.47 given proximity to their boundaries.
- The proposal contravenes policy QH22 and is not in keeping with properties on Grace Park Road, or the development to the rear. The proposed dwelling will be highly visible from Grace Park Road and is not in keeping with these 1940 red brick dwellings.
- The proposal is not in keeping with the development plan requirements for infill housing in that it is not in keeping with building line, proportion, heights, parapet levels and materials.
- The proposed cycle/pedestrian path is substandard and hazardous and the proposal will reduce the quality as well as the quantity of this amenity and negatively impact on permeability for pedestrians and cyclists.
- The acute bends proposed would pose a threat to safety and security and results in a significant blind spot. The clear sightline from one end of the laneway to the other is lost due to the proposed dwelling.
- The proposed dwelling blocks the sightline and connectivity between Grace Parks residents and Hampton residents, and is contrary to guidance contained within the Urban Design Manual 2009 relating to making visual connections between a scheme and a neighbouring development and landscape.

- The National Education Centre for Blind Children is located opposite the entrance to this site. The pedestrian/cyclist route is hazardous for visually impaired and blind students. There are a number of educational facilities in the area. The pedestrian/cycle path is not functional or sustainable for increased pedestrian/cyclist use.
- The dwelling is proposed to be include in Part V requirements for the entire site to the rear. This dwelling is not suitable for social/affordable housing as it would result in social exclusion due to its separation from the scheme and difference in its design.
- The location of the dwelling adjoining the pedestrian/cyclist route will affect its privacy.
- The location of the parking space out of sight of the dwelling will result in pressure for parking on Grace Park Road.
- There is no history of anti-social behaviour on this laneway and the proposal for this extra 'surveillance' will only result in loss of privacy to existing dwellings. Houses 18 and 19 have their entrances onto the rear entrance to the laneway and provide for adequate surveillance. The proposed dwelling will reduce passive surveillance given its position, blocking sightlines from Grace Park Road and the new development to the rear.

6.2. Applicant Response

The applicant's response to the third party grounds of appeal is summarised as follows:

- The scale and height of the dwelling has been significantly reduced following a previous refusal to ensure the dwelling will not overbear or overlook the adjoining dwellings and appropriate separation distances have been provided in accordance with development plan standards.
- The dwelling is 23.9m from 47 Grace Park Road. There are no windows on the northwest elevation, ie adjoining 45 Grace Park Road and the dwelling is 22.57m from no. 45. There are no directly opposing first floor windows. There

are separation distances of 16.6m and 18.7m between 18 and 19 Hampton. Proposed landscaping will also ensure no overlooking.

- The proposed dwelling will act as a bespoke gate lodge type unit to the adjacent permitted development. A gate lodge bungalow was previously located inside the main gates to the convent to the northwest of the site.
- With regard to development potential to rear gardens of no. 45 and no. 47, there is no potential for independent rear vehicular access to the rear of these properties. The proposed dwelling does not comprise of any windows to the elevation onto the rear of no.45 and will not affect any proposed extension. There is no direct overlooking of the rear of no. 47.
- The proposed trees will be maintained and will not increase the height or scale of the proposed development to such an extent that it would overbear the garden of the adjoining property.
- The proposed dwelling complies with objective QH22 of the development plan and the character and scale has had regard to existing dwellings. The dwelling is located 35m from Grace Park Road and given this set back does not impact on the established building line or character of that street.
- The construction of this infill dwelling on zoned residential land is in accordance with national policy.
- The width of the pedestrian/cycle path at 3m has not been reduced by the proposed dwelling. The path has been realigned but has not reduced in width or length and its amenity has not been compromised.
- The proposal will provide for an active frontage along a section of this 52m long laneway (from Grace Park Road to no.18/19 Hampton), lighting and surveillance, that will increase the sense of safety and security, increasing the quality of the lane.
- It is not the applicant's intention that the proposed dwelling will be for social and affordable housing.
- 1 car parking space for a 1 bed dwelling is in accordance with standards.

6.3. Planning Authority Response

None.

6.4. Observations

Transport Infrastructure Ireland: TII refers to its original submission on this application, whereby it is noted that the parent permission has not demonstrated that the proposed works have been assessed by a qualified engineer with experience in the design of underground structures as stipulated in the 'Guidance Notes for Developers, The assessment of surface and sub-surface developments in the vicinity of the Dublin Port Tunnel', 2009 and Dublin City Development Plan section 8.5.10, Policy MT22, and Appendix 6 Dublin Tunnel Structural Safety. This information should be required prior to any decision being made on any planning applications within the applicant's boundary in the interests of the protection of this important national infrastructure.

Cllr Deirdre Heney: The concern of residents of Gracepark Road is supported and should be taken into account prior to a decision being made.

6.5. Further Responses

A further response has been received from the third party in relation to the applicant's response and is summarised as follows:

- The proposed dwelling will impact in terms of overbearing/overlooking on no.. 45 and 47, particularly given recently constructed 3 storey (plus attic) dwellings to the rear. This proposal will result in existing dwellings being surrounded by new development from multiple angles and it would overall be excessively overbearing.
- The ground floor drawings are not clear, but in any event the dwelling is considered too close to the boundary of no.45 and the positioning of the proposed dwelling within an existing laneway is wholly inappropriate.
- There is a long established garden patio at the end of the garden of no. 47 directly in line with the rooflights of the proposed dwelling. While opaque, when opened the rooflights would result in a diminution of privacy in the garden of no. 47.

- The dwelling will be highly visible from Grace Park Road and will detract from the area.
- The dwelling will obstruct the visual connection between Grace Park Road and Hampton.
- The dwelling, which requires the lane to be realigned, represents overdevelopment of the laneway and will compromise the quality of this pedestrian/cycle access.
- The former gate lodge was of a different scale, style and location to the proposed dwelling. The proposed dwelling is not comparable to a gate lodge.
- The proposed bends in the realigned laneway will affect sight lines.
- The dwelling is not suitable for social housing as it is not integrated into the existing scheme.
- The proposed dwelling will not enhance surveillance of the laneway and provide an active frontage as the wall/hedge/railings will block off views from the dwelling of the laneway. No. 19 Hampton provides adequate surveillance.
- There is a side gate along the side boundaries of no. 45 and 47 which allows access from the laneway. The applicant is inaccurate in stating there is no access to the rear.

7.0 Assessment

Zoning

- 7.1. The subject site is located within zoning objective Z1, the objective for which is *'to protect, provide and improve residential amenities'*. The provision of residential development is considered acceptable in principle within the zoning objective for the area.
- 7.2. The primary issues for assessment include;
- Residential Amenity of the Area
 - Car Parking
 - Other Matters

- Appropriate Assessment

7.3. Residential Amenity

- 7.3.1. I note that permission was refused by DCC under a previous application for a detached dwelling at this location. The previous application differs from the current application in terms of the design and scale of the dwelling. The previous dwelling was for a two storey, three bed detached dwelling, with an overall height of 7.7m, positioned 0.5m off the boundary with the rear garden of 45 Gracepark Road. The current application is for a 1.5 storey, one bed detached dwelling with an overall height of 6.36m, positioned 0.75 off the rear garden boundary of 45 Gracepark Road. The dwelling has a single storey element (eaves height of 3m) at the boundary with 45 Grace Park Road. The proposed dwelling is designed as a dual aspect dwelling addressing the laneway, with its front door access from the gable/southeast aspect, facing toward Grace Park Road.
- 7.3.2. The third party to the appeal has raised concerns in relation to scale of the proposed dwelling and its position abutting the boundary with 45 Gracepark Road and other rear gardens along Gracepark Road with resultant impacts in terms of overlooking and loss of privacy, and overbearance. Concern is also raised with regard to the design and inconsistency with the character of dwellings in the surrounding area and impact on development potential of no. 45 and no. 47.
- 7.3.3. The rear garden of 45 Grace Park Road is approx. 35m long. The subject site adjoins a 20m section toward the rear end of that garden, with the proposed dwelling itself being 9m deep. Given the orientation of the site northeast of the rear garden of no. 45, the set back of 0.75m from the boundary with no.45 and the step down in height of the dwelling at the boundary with no. 45 (ie, a 3m eaves height for a width of c. 1.2m along the depth of the dwelling) and the overall low scale design of the dwelling, I do not consider the proposed dwelling will be overbearing in its form nor will it result in significant overshadowing. The windows have also been positioned to limit overlooking, with no windows proposed along the boundary with no. 45 and the only first floor window on the gable elevation is directly to the rear of no. 45. I do not consider the proposed rooflights will result in significant direct overlooking of the rear garden of no. 47. Overall, given the position of the dwelling in-between the rear

elevations of no. 45 and no. 47 Grace Park Road and given distances between neighbouring properties, I do not consider that significant direct overlooking will occur or the development will hinder the development potential of no. 45 and no. 47. I consider the design and finishes proposed are overall in keeping with the residential nature of this area and will not detract from the character of existing dwellings. I

- 7.3.4. With regard to internal space standards and private open space provision, the proposed dwelling is in compliance with national standards. Given the restricted nature of the site and potential to impact on the laneway, I consider that a condition removing exempt development provisions is warranted in this instance, should the Board be minded to grant permission.
- 7.3.5. I note the rear garden of 19 Hampton will be reduced given the realignment of the laneway as a result of the proposed development. The remaining private open space is sufficient.
- 7.3.6. Overall, the proposed development of a dwelling on this large side garden site is acceptable in terms of its design, scale and location on site and furthermore will not result in overlooking, overshadowing or be overbearing on the surrounding dwellings/streetscape.

7.4. Impact on the Quality of the Laneway for Pedestrians/Cyclists

- 7.4.1. The third party contends that the quality of the laneway will be compromised with the revised alignment creating blind spots and a lack of direct vision along the route. The laneway does not require additional surveillance by way of this additional house.
- 7.4.2. The applicant contends that while the alignment has been amended, the width of the laneway remains the same and its safety and security will be improved by the proposed development.
- 7.4.3. The proposed dwelling is positioned along a pedestrian/cyclist laneway which is proposed to form one of the access points to the redeveloped site to the rear, known as Hampton. This laneway was previously the primarily vehicular access to the site, which has been relocated under a previous permission. The entrance to the laneway from Grace Park Road is approx. 4m wide and widens out to approx. 13.5m wide at its widest point, where the proposed dwelling is positioned. The dwelling is orientated

with its entrance southeast facing, ie toward the entrance to the laneway from Grace Park Road. The side elevation is onto the laneway itself with windows to the living room and bay window to the dining room facing onto the laneway, thereby providing dual frontage with windows on both elevations at ground level facilitating passive surveillance of the laneway.

7.4.4. While the third party argues that surveillance of the laneway is not necessary, I am of the view that the laneway, which is approx. 60m long from the entrance at Grace Park Road to dwelling 18 within Hampton, would benefit from the passive surveillance of this proposed dwelling. However, I note that the proposed 1.8m high railing with hedging to the front and side of the dwelling would completely obscure the entrance and side elevation removing any opportunity of passive surveillance. I am of the view that, should the Board be minded to grant permission, a 1.2m high wall only to the front and side of the dwelling should be facilitated, with a railing above this, if required, providing for an overall height no greater than 1.5m, with no planting or low shrub type planting only permitted. I consider this type boundary will ensure a sufficient degree of privacy for future occupants while providing for the natural surveillance/overlooking required of this dwelling in order to positively contribute to the public realm at this location. I recognise that the rear garden area will require a more solid boundary for privacy and the proposed 1.8m high brick wall for this limited section is acceptable. I note a part of the boundary relates to a historic wall which is to be retained and a condition in this regard would be required should the Board be minded to grant permission.

7.4.5. I consider the additional overlooking of the laneway by the proposed dwelling will aid in the security and safety of the laneway. I do not consider the introduction of the bend into the alignment will impede its usability or detract from permeability between the schemes. Should the Board be minded to grant permission, I consider a condition is required to ensure the delivery of a high quality finish to this pedestrian/cyclist route.

7.5. Car Parking

7.5.1. I note that there is no parking provided for immediately adjacent to the proposed dwelling. This is not ideal and could result in pressure for illegal parking alongside this dwelling in the future. Given this laneway is for cyclist and pedestrians only, it is

important that it is protected as such. I note that it is stated by the applicant that bollards will be placed along the laneway to ensure no vehicles will use it. While the parking arrangement is not ideal, I note that vehicular spaces are also not provided for directly outside the entrance to dwellings 18 and 19 Hampton, albeit they are in their line of sight, with the entrances to these dwellings orientated towards the laneway, for what I assume are passive surveillance/security reasons. I consider that this issue of parking must be balanced against the additional supervision of this pedestrian/cyclist route which will be facilitated by the development of this dwelling. I note the proposal was acceptable to the transport division of DCC. I consider that the proposal is overall acceptable, subject to bollards being put in place at both ends of the laneway to ensure its use only by pedestrians and cyclists.

7.6. Other Matters

- 7.6.1. I note the report from the TII in relation to the lack of engineering assessment in the parent permission relating to the overall development. The dwelling subject of this application is not within the alignment of the port tunnel and I therefore do not foresee any issues in relation to construction impact on the port tunnel. Any issues relating to the wider development are a matter of enforcement/are more appropriately addressed through the planning authority.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. It is recommended that permission is granted.

9.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development of a detached dwelling on this site would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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 to the planning authority on the 17th day of October 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The front/southeast facing boundary and the side/east facing boundary (labelled no. 3 on drwg no. AI-07-1102.1) shall be omitted and replaced with a wall no greater than 1.2m in height, with additional railings, where required, resulting in a height no greater than 1.5m. No other boundary treatment, including fencing or hedgerows shall be constructed around the front and side boundary, other than low planting/shrubs.</p> <p>Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to</p>

	<p>commencement of development.</p> <p>Reason: In the interests of facilitating passive surveillance of the laneway and residential amenity.</p>
3.	<p>Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 15/08/2016, under appeal reference number PL29N.246430 and any agreements entered into thereunder.</p> <p>Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.</p>
4.	<p>The detailed design of the laneway, including surface materials, signage, planting and bollards at both ends (or other design treatment to prevent access of the laneway by vehicles) shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interests of public safety and amenity.</p>
5.	<p>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouse without a prior grant of planning permission.</p> <p>Reason: In the interest of residential amenity.</p>
6.	<p>Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
7.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p>

	<p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
8.	<p>The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.</p> <p>Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.</p>
9.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development,</p> <p>(b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and</p> <p>(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
10.	<p>The developer shall comply with the following requirements in relation to conservation:</p> <p>a) In advance of construction commencing on site, the applicant shall submit the following information to the Planning Authority for their written</p>

	<p>agreement:</p> <p>i) Full drawing survey including photographic record of existing boundary walls and detailed schedules of any repair and reinstatement works, and a method statement for the raking out and re-pointing of the stonework.</p> <p>b) An architect or expert with specialised conservation expertise shall be employed to design, manage, monitor and implement the works on site and to ensure adequate protection of the historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the structure and/or fabric.</p> <p>c) All works shall be carried out in accordance with best conservation practice and the Department of the Environment Guidelines. The works shall retain the maximum amount of surviving historic fabric in-situ and shall be designed to cause minimum interference to the structure and/ or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.</p> <p>d) All existing original features, including boundary wall, shall be protected during the course of refurbishment.</p> <p>e) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.</p> <p>Reason: To ensure that the original fabric of the historic boundary wall is protected, in order to protect the character and integrity of the curtilage of the protected structure.</p>
11.	<p>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</p>

indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Una O'Neill
Senior Planning Inspector

20th March 2019