



An
Bord
Pleanála

inspector's Report ABP-303361-19

Development	Construction of attached two storey house associated site works. *Significant Further Information submitted 16.11.2018*
Location	155 Greenacres, Dundalk, Co.Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	18582
Applicant(s)	Seamus Ruddy
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Noel & Bernadette Lennon
Observer(s)	None
Date of Site Inspection	12 th of April 2019
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The application site is located in the residential area to the south of Dundalk town centre and also the Marshes Shopping Centre. It is in the side garden of no.155 Greenacres at the corner with Afton Drive and Laurel Grove. The properties in the immediate area are in general 2 storey semi-detached with some terraced on the opposite side of Afton Drive and Greenacres. The dwellings to the east (rear of the site) face the central green for the general Greenacres area. It is to the south west of no.22 Afton Drive which is a two storey semi-detached property with a single storey side extension and some sheds in the rear garden.
- 1.2. There is a gated access to the subject site which currently serves as a gravelled parking area and side/front garden area for no.155 Greenacres. There is a low wall along the site frontage and a footpath along the roadside boundary. There is a lighting standard adjacent to the location for the proposed entrance.

2.0 Proposed Development

- 2.1. As originally submitted this was to consist of a proposed new attached two-storey, three bedroom dwelling house and all associated site works.
- 2.2. The Planning Application provides that the area of the site is 0.04ha. The g.f.a of the existing house is 95sq.m and of the proposed dwelling house is 100sq.m.
- 2.3. A Site Location Map, floor plans, sections and elevations have been submitted.
- 2.4. It is noted that Significant Further Information was submitted which included a reduction in floor area and revisions to the proposed house type.

3.0 Planning Authority Decision

3.1. Decision

On the 6th of December 2019, Louth County Council granted permission for the proposed development subject to 7no. conditions. This generally have regard to the revised plans, infrastructure and construction related issues and provide for development contributions.

- Condition no.2 – provides for obscure glazing to the first floor bathroom window.

3.2. **Planning Authority Reports**

Planner's Report

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made. Their Report included the following:

- The site is on residentially zoned land and is considered an infill/corner site.
- While they consider the principle of development acceptable they have concerns about proximity to the boundaries and to no.22 Afton Drive.
- They have concerns about potential overlooking to this property.
- The development is proposed to connect to existing services.
- It is proposed to provide a new vehicular entrance. They note that the Infrastructural Section does not object.
- They note that the proposed development would be subject to development contributions.
- They do not consider the proposed development would be likely to have a significant effect either individually or in combination with other plans and projects on a European site.

They recommended further information be requested to include the following:

- Revised plans which accurately identify the extent of the development at No.22 Afton Drive.
- To address issues of overlooking, overbearing and separation distances to no.22 Afton Drive.
- To record the precise location of the pipelines within the site boundaries, noting that no part of any permanent structure shall encroach into the wayleave area.
- Revised Public Notices.

Further Information response

Emmet Holland/Architect has submitted a response on behalf of the applicant which includes revised drawings showing a redesign of the proposal. Revised Public Notices were also submitted.

Planner's response

The Planner had regard to the F.I submitted and in particular to the impact on adjoining properties including no. 22 Afton Drive. They noted the floor area reductions made in the revised plans and the information submitted relative to the location of the public sewer. They concluded that the revised dwelling can be facilitated on this site, without having an unreasonable impact on the adjacent property in Afton Drive or any other property in the vicinity of the development. They recommended that permission be granted subject to conditions.

Other Technical Reports

Infrastructure Department

They have no objections to the proposal subject to recommended conditions. This includes relative to the access, construction related issues, and liaison with the relevant bodies relative to connections to drainage networks. This includes relocation of the ESB mini pillar to facilitate the formation of the proposed new access and a road's opening license.

3.3. Prescribed Bodies

Irish Water

They note the presence of a 300mm diameter public foul and request that the exact location of this be shown on revised plans together with a 10m wide wayleave shown within the site boundaries. Also, that no part of any permanent structure shall encroach into the wayleave area.

In response to the F.I submission they had no objections subject to recommended conditions.

3.4. **Third Party Observations**

Submissions have been received from the subsequent Third Party in response to the application and the F.I information submitted. As the issues raised are similar to those in their grounds of appeal they are considered further in that context below.

4.0 **Planning History**

There is no planning history pertaining to the subject site.

The following is the history of the Appellant's site:

- 95520115 – Permission granted to Noel Lennon for Change of Front Elevation to no.22 Afton Drive.

The only other additional house in the area permitted by the Council refers to no. 36 Laurel Grove, Greenacres.

- 04520064 – Permission granted for a new dwelling house at no.36A to be access from existing entrance to existing dwellinghouse no. 36 and all associated site works. The development also consisted of a new entrance to no.36 Laurel Grove. This is to the north of the junction with Laurel Road and Afton Road. It does not appear to have been constructed and permission has now expired.

5.0 **Policy and Context**

5.1. **Louth County Development Plan 2015 - 2021**

This Plan provides the strategic planning policies and objectives for the County. Section 2.16.4 notes that the Statutory Plan for Dundalk and the surrounding area is currently the Dundalk and Environs Development Plan 2009-2015 and Policy SS3 seeks: *To review the Dundalk and Environs Development Plan 2009 – 2015 and to prepare a Local Area Plan for Dundalk and Environs which will be consistent with the provisions of the County Plan.*

In addition to the County Development Plan, I have reviewed the Dundalk Town & Environs Development Plan 2009 – 2015 as this provides the most recent zoning framework for the area.

Housing and Community Facilities - Design and Layout

Section 6.2.1 (Table 6.1 and Table 6.1 refer) provides the Residential Zoning Objectives. The subject site is located in RES 1(serviced). This is discussed in the Assessment Section below.

Section 6.6.6 notes the need to adhere to Building lines, and that particularly established ones, relative to infill development sites should be *respected*.

Section 6.6.7 refers specifically to Infill/Backland development i.e: *Infill development is small scale development located in gaps between existing buildings*. This includes: *The following guidance is applicable to out of town centre residential sites. Development on these sites should match existing surrounding development in terms of design, scale, height and the building line should be in keeping with the existing development and should not be detrimental to the local existing residential amenities in the area.*

This also refers to Design and Scale i.e. *The design and scale of the proposed development should be in keeping with the surrounding character of the area. The proposed design, orientation and massing shall not cause any unacceptable overbearing or overshadowing on existing dwellings and the applicant will be required to demonstrate that there are no adverse effects on the existing buildings.*

Reference is also made to such issues as Density, Access, Materials, Open Space provision and car parking.

Section 6.7.5 refers to Privacy and Spacing between Buildings i.e. *A distance of at least 22 metres is recommended between the windows of habitable rooms which face those of another dwelling. In the case of windows of non-habitable rooms within 22 metres of another facing window, obscure glazing may be acceptable.*

Also: *Where new dwellings are located very close to adjoining dwellings, the planning authority may require that daylight and shadow projection diagrams are submitted. The recommendations of 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (B.R.E. 1991) or B.S. 8206 'Lighting for Buildings, Part 2 1992: Code of Practice for Day lighting' should be followed.*

Section 6.7.13 refers to Boundary Walls.

Town Centre

Section 4.4.6 provides for the sustainable development of the Town Centre and includes: *The redevelopment of sites in conjunction with infill and backland development can provide for effective mixed use development and regenerate under utilised areas. Infill and backland site, if correctly developed, can lead to more sustainable development as lands are already served by roads, water and sewerage.*

Key objectives include: *Promotion of proposals for infill and backland development, where such development does not jeopardise access to adjoining areas and is orientated so as not to have any adverse effects on adjoining sites.*

Policy TC 11 seeks to *Promote the development of backland and infill sites and the reburbishment and regeneration of brownfield and grey field sites within the town centre.*

5.2. Natural Heritage Designations

The site is located c.1.35km from Dundalk Bay SPA and SAC.

5.3. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity/ the absence of any connectivity to any sensitive location, 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

EHP Services have submitted a Third Party grounds of appeal on behalf of Noel and Bernadette Lennon of no.22 Afton Drive, Dundalk. This includes the following:

- The Appellants consider that the proposed development will materially and detrimentally impact upon the residential amenities they have enjoyed since purchasing their property in 1984.
- The proposal will lead to excessive overlooking and loss of privacy, be visually overbearing and cause a loss of sunlight and daylight to their property, including their extension and garden area.
- The proposed development represents a speculative development for the rental market.
- It is a form of development which is neither appropriate nor sensitive and will have a significant adverse impact on the Appellant's residential amenities and as such is incompatible with the proper planning and sustainable development of the area.
- Photographs have been submitted to show the difference in plot size between these corner sites and adjoining dwellings.
- The application is invalid and deficient in the information submitted.
- They consider that insufficient information has been submitted relative to the impact of the proposed development on the existing dwelling no.155 Greenacres Photo no.11 refers. The applicant did not provide any elevational, cross-sectional or floorplan drawings of no.155 Greenacres as existing.
- It is fundamentally contrary to planning policy and guidelines including the Dundalk and Environs DP 2009-2015. The principle of development does not comply with the residential objective relative to infill and to protect and improve residential amenities.
- Negative impact on residential amenities. They refer to and consider it contrary to the Sustainable Residential Development in Urban Areas Guidelines (2009) relative to infill development and contrary to the residential amenities of the area.
- The proposal is overly large and bulky and will diminish the quality of their side and rear garden space and their continued enjoyment of same.

- They are concerned about the impact of construction phase on their property. Condition 3(i) is wholly inadequate as a means of protecting the existing residential amenities of the neighbouring dwellings.
- It will result in inadequate separation distances. A shadow, daylight/sunlight analysis has not been undertaken. Fig.2 of their submission relates.
- It will result in a devaluation of the applicant's property.
- It will set an undesirable precedent for such corner sites and be detrimental to the character and amenities of the area.
- The proposed development is materially contrary to the RES1 zoning objective for the area and is incompatible with the proper planning and sustainable development of the area. They request the Board to refuse permission.

6.2. Applicant Response

Emmet Holland/Architect response to the Third Party grounds of appeal on behalf of the applicant Seamus Ruddy includes the following:

- The site is located close to the town core and is c.1km from the centre of Dundalk.
- Dwelling typologies are generally a mix of two-storey semi-detached and two-storey terraced three bedroom houses, most of which have been extended over time. Existing densities are typically less than 35 houses per ha.
- This is a large corner site and appropriate for inner suburban infill development as per the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)* and current policy.
- The proposed two storey two bedroom dwelling is designed to be similar to existing properties and to be a subtle infill in character with the area.
- Overlooking is to be minimised, by the positioning of the rear first floor bedroom window away from the Appellants property and the use of frosted glass on the small gable window.
- The angle of the proposed dwelling will allow for much of the southern aspect of the neighbouring extension to be retained.

- They do not consider the proposal represents a gross overdevelopment, rather a modest proposal, with low plot ratio, ample curtilage and 1.6m from the boundary at its closest point.
- The 3d images included with the Third Party appeal have been superseded and are not relevant.
- They note and provide details of the redesign to reduce the footprint and floor area from a 3 bedroom to the 2 bedroom house now proposed in response to the Council's F.I request. They consider that the revised proposal will considerably reduce the impact on no.22 Afton Drive.
- The existing dwelling and tenants at no.155 Greenacres will be accommodated in the redesign and the existing gable will become the party wall. A rooflight can be provided at no.155 to compensate for any loss of light to the landing if this is a concern.
- It can be expected that a small scale construction project such as this can proceed without an unreasonable effect on neighbouring properties.
- Every measure has been taken during the course of the planning process to ensure that amenities have been protected, and that the proposed design is appropriate for this location and in line with planning policy.

6.3. Planning Authority Response

They had regard to the grounds of appeal submitted and provide that they have no further submissions or observations to make to the Board. They noted that all their planning observations, assessments and recommendations are as stated. They ask the Board to uphold their decision to grant permission.

7.0 Assessment

- 7.1.1. The site is located in the residential area within the development boundaries of Dundalk as shown on the Dundalk and Environs Development Plan 2009-2015 (as extended). Map 4.2 shows that the Site is within the southern boundaries of the Town Centre Zoning, zoned RES 1 – Residential, where the objective seeks: *To protect and improve existing residential amenities and to provide for suitable infill and new residential developments.* This also seeks to: *Ensure that any new*

development in existing area would have a minimal impact on and enhance existing residential amenity'. Therefore, sustainable infill development would be in accordance with the residential zoning objective.

- 7.1.2. Regard is also had to the 'National Planning Framework Plan 2040' which seeks to increase housing supply and to encourage compact and urban growth, supported by jobs, houses, services and amenities rather than continued sprawl and unplanned, uneconomic growth. Chapter 4 refers to *Making Stronger Urban Places* and includes National Policy Objective 4 which seeks to: *Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.*
- 7.1.3. Also of note is Section 5.9 of the 'Sustainable Residential Development in Urban Areas Guidelines, 2009' which provides: *In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.*
- 7.1.4. The Third Party, who are the owners of the adjoining corner property in Afton Drive consider that the proposed development is a gross overdevelopment of the site and will result in a crammed form of development, that will be detrimental to their residential amenities and impact adversely on the character and amenities of the area. They note they are long established local residents and consider that it will be overbearing and result in a loss of day/sunlight to their extended property and garden area. They include a number of photographs with their appeal submission.
- 7.1.5. The First Party consider that this large corner plot represents an appropriate case for infill development, with a similar type dwelling that respects the building line, height and massing of the existing property. They note that there is a mix of semi-detached and terraced properties in this established residential area. They consider that the proposal, noting the revised design and reduced footprint and floor area as provided in response to the Council's request for F.I, complies with the Guidelines in providing sustainable infill development that does not detract from the character and amenities of adjoining property or the area.
- 7.1.6. It is considered that the principle of an infill residential development is acceptable relative to the residential land use zoning. Regard is had further to the documentation submitted and to the issues raised by the Third Party including

compliance with planning policy and guidelines, design and layout, impact on the residential amenities of neighbouring property, access and drainage and impact on the pattern of development and character and amenities of the area in this Assessment below.

7.2. Procedural issues

- 7.2.1. The Third Party have concerns about invalidity of the application and that a number of procedural issues were not adequately considered or dealt with by the Council in the course of their consideration of this application. This includes that inadequate information was submitted including inconsistencies in the drawings to enable an informed decision to be made on the proposed development, including the impact on local residents.
- 7.2.2. The First Party refutes this and they are of the opinion that sufficient details have been submitted including at F.I stage to enable any third party to analyse potential impacts on adjoining properties. They provide that detailed drawings have been prepared for the overall development and that in addition the P.A have deemed sufficient information was provided.
- 7.2.3. These concerns have been noted as has the First Party response. However, having regard to the above it is considered that these are matters relevant to the procedures of the Council in dealing with/processing the application and that it would not be appropriate for the Board to make a decision on such issues.

7.3. Design and Layout and Impact on Adjoining Properties.

- 7.3.1. It is proposed to sub-divide the existing corner site (c. 0.04ha) to provide an additional dwellinghouse to adjoin the side elevation of no. 155 Greenacres, which currently forms part of a semi-detached pair. The plans as originally submitted provided for a 3 bedroom, 2 storey house of c.100sq.m. in floor area. I would concur with the Council that the plans as originally submitted would appear visually obtrusive and would not be acceptable at this location.
- 7.3.2. In response to the Council's F.I request revised plans were submitted showing a 2 bedroom, 2 storey end of terrace house, reduced to c. 80sq.m in floor area, with the protruding 2 storey side element omitted. Regard is had to the revised Site Layout Plan submitted showing the reduction in the footprint.

- 7.3.3. The Third Party is concerned that the proposal will cause excessive overlooking and loss of privacy, be visually overbearing, and cause overshadowing and loss of sunlight and daylight to their property which is located on the adjoining corner plot to the north west. They also consider it will have an adverse impact on their single storey side extension, which has windows facing (these are for the kitchen and dining room) and the enjoyment of their rear garden area. On site I noted that this property at no.22 Afton Court is off set from the subject property, but that there are two windows in the side extension which can be seen above the low boundary wall.
- 7.3.4. Drawings have been submitted showing the revised elevations, which will provide a terrace of 3 houses, in context of the existing semi-detached pair. The First Party response notes that at first floor, the bedroom window to the rear has been positioned away from no. 22 Afton Drive toward the eastern boundary. They provide that this design approach has been adopted in order to protect the amenities of adjoining neighbours. Also, that the proposed first floor gable window which is small in size will be frosted glass to minimise overlooking. No other windows are proposed in the side gable. If the Board decide to permit I would recommend that Condition no.2 of the Council's permission, relative to the said bathroom window be included.
- 7.3.5. It is noted that the proposed dwelling is at a c.70 degree angle with the Appellant's property and lies to the southeast of the property. At its closest point the proposed dwelling, as shown on the revised plans will be 1.6m from the site boundary with no.22 Afton Drive. In view of the angle of the proposed dwelling, it is considered that much of the southern aspect of the neighbouring extension will be maintained. However, in view of the proposed sub-division of the site and in the interests of privacy, I would recommend that if the Board decides to permit that it be conditioned that the height of the rear garden boundary wall with no.22 Afton Drive be 1.8m. and that similar height boundary walls be established along the boundary with no.155 Greenacres.
- 7.3.6. The impact on the adjoining property no.155 Greenacres also needs to be considered. The First Party response provides that the amendments to the existing gable and rerouting of services can be considered de minimis in nature and will be addressed in detail during the technical design stage should the project progress. The existing gable of this property will become the party wall and will require modification. Also, that a rooflight can be provided to no.155 to compensate for any

loss of light to the landing if this is a concern. They note that neither of these are considered to be matters pertinent to the planning process. They provide that all the necessary works to services will be undertaken to minimise disruption.

7.3.7. The Site Layout Plan shows that it is proposed to provide a private amenity space of 73sq.m for the proposed dwelling and 76sq.m for the existing dwelling no. 155 Greenacres. Table 6.4 of the Dundalk and Environs DP relates to Private Amenity Space Standards and provides for 2 bedrooms houses in (greenfield/suburban) areas this should be 60sq.m and for 3 bedrooms plus - 80sq.m. It is noted that the subdivision will result in smaller/narrower rear garden areas than that of surrounding residential sites. However, this proposal is located within the Town Centre area, where reduced private amenity open space i.e. a minimum of 50sq.m is permissible. Therefore, it is considered that the private open space area proposed for each dwelling is in accordance with standards.

7.3.8. There are concerns about the impact of construction. In view of the proximity to neighbouring properties, I would recommend that if the Board decides to permit that a condition relative to the inclusion of a Construction Management Plan and hours of operation.

7.4. Impact on the Character and Amenities of the Area

7.4.1. The issue is whether the formation of a terrace of 3no. houses in lieu of the semi-detached pair is considered acceptable in this location on this site. The First Party provides that the proposed two storey two bedroom dwelling is designed as a subtle infill within the existing context. The building lines and roofline are respected, the scale, massing and proportion is reflective of the surrounding buildings, the fenestration and materials all are similar to existing buildings.

7.4.2. It is noted that while two storey semi-detached dwellings are the norm in this area, there are also some more extensive terraced groupings. While it is noted that there are no such developments as that currently proposed in the immediate area, nevertheless, this proposal may set a precedent for such development on corner sites. Therefore, while each case is considered on its merits, it is important that this not be considered to set an undesirable precedent. In the current case, it is taken into account that as a corner site and the proposal would not breach the building line. I would consider that the revised house type will appear acceptable on this site and

in view of its orientation, scale and massing will not adversely affect adjoining properties.

7.5. Infrastructural issues

- 7.5.1. The Site Layout Plan shows that it is proposed to provide a separate access to the proposed development, separated by a low wall. The existing access to no.155 Greenacres is to be retained. It is noted that the Council's Infrastructure Section does not object to this proposal subject to conditions including the relocation of the ESB mini pillar to facilitate the formation of the proposed new access. It is recommended that if the Board decide to permit that a condition relative to the formation of the new access be included.
- 7.5.2. Louth County Council/Irish Water records indicate the location of a 300mm diameter public sewer routed through the site. They requested (as included in the Council's F.I request) that the precise location of this pipeline be shown on the revised plans, together with a 10m wide centred wayleave shown within the site boundaries. Also, that no part of any permanent structure shall encroach into the wayleave area. In response the revised Site Layout Plan shows the location of the existing foul mains sewer in the front garden area. I noted manholes in this location on my site visit. Irish Water and the Council did not object to the proposed development as submitted in the revised plans, subject to conditions, including relative to the maintenance of the wayleave area. It is recommended that a condition relative to drainage and water services be included should the Board decide to permit.

7.6. Screening for Appropriate Assessment

- 7.6.1. Having regard to nature and scale of the proposed development to provide one additional house in a fully serviced and zoned residential area and the nature of the receiving environment and the distance and lack of connections to the nearest European sites: Dundalk Bay SPA (site code: 004026) and SAC (site code: 000455), 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. I recommend that permission be granted subject to conditions, for the reasons and considerations below.

9.0 Reasons and Considerations

Having regard to the 'residential use' zoning of the site, to the nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with existing development within the area, would be acceptable in terms of visual impact, would not seriously injure the residential amenities of the area or of property in the vicinity and would be in accordance with the provisions of the Dundalk and Environs Development Plan 2009-2015 as extended. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 16th day of November 2018 and by the further particulars received by An Bord Pleanála on the 1st day of February, 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

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

Reason: In the interest of visual amenity.

3. The first floor bathroom window in the side elevation shall be obscure glazed.

Reason: To prevent overlooking of the adjoining residential property.

4. (a) The rear garden shall be bounded by block wall on all sides, 1.8 metres in height, capped, and rendered, on both sides, to the written satisfaction of the planning authority.

(b) Details of the boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

5. The entire premises shall be used as a single dwelling unit.

Reason: In the interests of clarity and the residential amenity of the area

6. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, including the rear garden area without a prior grant of planning permission.

Reason: In the interest of the residential amenities of the area.

7. (a) The vehicular access, serving the proposed development, shall comply with the requirements of the planning authority for such road works.

(b) The ESB mini pillar shall be relocated to facilitate the formation of the proposed new access.

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

8. 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.

9. The applicant or developer shall enter into water and wastewater connection agreements with Irish Water prior to the commencement of this development.

Reason: In the interests of clarity.

10. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity.

11. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

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 developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

Angela Brereton
Planning Inspector

16th of April 2019