



An  
Bord  
Pleanála

## Inspector's Report ABP-303461-19

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<b>Development</b>	Construction of 7 no. apartments in a three storey building and a new entrance and associated site works.
<b>Location</b>	Rose Lawn, Spur Hill, Doughcloyne, Co. Cork
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	17/7157
<b>Applicant(s)</b>	Centmont Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party -v- Decision
<b>Appellant(s)</b>	Centmont Ltd
<b>Observer(s)</b>	Julienne Hayes Liam O'Riordan Liam O'Riordan & Annabel Golden Mary Fleming Michelle Holland Paul Holland

Joseph Cahill  
John & Ann O'Neill

**Date of Site Inspection**

21<sup>st</sup> March 2019

**Inspector**

Hugh D. Morrison

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## 1.0 Site Location and Description

- 1.1. The site is located 3.5 km to the SSW of Grand Parade in Cork's city centre and 0.7 km to the SSE of the Sarsfield Roundabout, i.e. the junction between the N40 and the R641. The site lies in the southern outskirts of Greater Cork within a suburban area beside Spur Hill, a local road that rises to the SW and which represents a continuation of Togher Road. It is situated off the NW side of this road, between the housing estates of Sandown Crest, to the NE, and Forest Ridge, to the SW. A residential cul-de-sac, known as Fernwood Close, lies to the SE and on the opposite side of the local road.
- 1.2. The site has been cleared of the buildings that were formerly sited therein and it is presently vacant. This site is roughly triangular in shape and it extends over an area of 0.12 hectares. The site rises from east to west and from north to south. Across its eastern and northern boundaries, it steps up from the adjoining residential property at No. 12 Forest Ridge Crescent and a grass embankment, which adjoins the Crescent. Across its western boundary with a small area of public open space it steps down and across its southern boundary with Spur Hill levels are similar.
- 1.3. The site is presently accessed by means of an entrance off Spur Hill, which is sited towards the SE corner. The site boundaries are denoted by stone and blockwork walls, some of which are overgrown, and temporary wire mesh fencing.

## 2.0 Proposed Development

- 2.1. The proposal is for the construction of a block of 7 no. two-bed apartments, which under further information was revised to 5 no. two-bed apartments (109 sqm each). As revised, this block would be sited in the south western half of the site and towards its frontage with Spur Hill. The front portion of the block would be of three storey form while the rear portion would be of two storey form.
- 2.2. The proposed apartment block would be served by a new entrance, which would be sited further to the SW than the existing one, and by an access road that would link this entrance to 10 car parking spaces, i.e. 7 perpendicular ones in the rear portion of the site and 3 parallel ones on the NE side of the road. Communal open space would wrap around these spaces and play areas would be sited within it.

## 3.0 Planning Authority Decision

### 3.1. Decision

Following receipt of further information, permission was refused for the following reasons:

- The applicant has not demonstrated that the proposed surface water management system would be adequate or sustainable.
- Larger vehicles such as bin lorries would be unable to turn on-site and either standing on the public road or reversing onto it would be hazardous.
- Over development as evidenced by insufficient turning facilities, inadequately sized play areas, sub-standard functional open space + proposal would be incongruous and overbearing in the streetscape and it would lead to overshadowing of adjoining residential properties.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

Further information was sought with respect to the following:

- The need to address overdevelopment/poor streetscape integration/loss of residential amenity,
- Roads requirements with respect to the site entrance and public footpath,
- Specification of 2 no. car parking spaces per apartment,
- Proposed storm water solution connection to sewer unacceptable,
- Details of on-site water mains provision,
- Details of on-site storm water attenuation,
- Statement of housing mix,
- Compliance with Recreation and Amenity Policy,
- Details of boundary proposals,
- Bin storage arrangements,

- Identify/confirm size of patios and balconies,
- Cross sections of site within its context, and
- Shadow impact analysis.

### 3.2.2. Other Technical Reports

- IFI: No objection, subject to Irish Water's approval.
- IAA: No observations.
- Cork Airport: No comment.
- Estates: Following receipt of further information, clarification sought with respect to bin lorry turning movements.
- Roads & Transportation: Following receipt of further information, clarification sought with respect to bin lorry turning movements and surface water discharge to public sewer.
- Irish Water: Following receipt of further information,

## 4.0 Planning History

- 17/06271: Demolition and removal of existing two storey dwelling house: Permitted.
- Pre-application consultation occurred on 27<sup>th</sup> July 2017.
- Certificate of Exemption granted to shadow the current proposal.

## 5.0 Policy and Context

### 5.1. Development Plan

Under the Ballincollig-Carrigaline Municipal District Local Area Plan 2017 (LAP), the site is shown as lying within the development boundary around the southern outskirts of Cork and in an area denoted as "existing built up area".

## 5.2. Natural Heritage Designations

- Great Island Channel SAC (site code 001058)
- Cork Harbour SPA (site code 004030)

## 5.3. EIA Screening

Under Items 10(b)(i) & (iv) of Part 2 of Schedule 5 to Article 93 of the Planning and Development Regulations, 2001 – 2018, where more than 500 dwelling units would be constructed and where 10 hectare-urban sites would be developed, the need for a mandatory EIA arises. The proposal is for the redevelopment of a 0.12-hectare urban site to provide 5 no. apartments, as revised. Accordingly, it does not attract the need for a mandatory EIA. Furthermore, as this proposal would fall so far below the relevant thresholds, I conclude that, based on its nature, size, and location, there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- With respect to the first reason for refusal, this reason was generated by an Engineering Report, which comprises a three-fold critique of the revised proposal.
  - Firstly, discharge to the ground is unacceptable in view of likely future maintenance problems. This is a contrary position to that of SuDS, the principles of which are the norm for urban areas.
  - Secondly, attention is drawn to a 2.5m distance between the soakaway and nearest dwelling house instead of a minimum of 5m. This can be reconfigured to secure this minimum.
  - Thirdly, discharge to a public sewer is needed. Irish Water states that this is not available.

- With respect to the second reason, attention is drawn to the level of car parking provision required by the planning authority, which at 2 no. car parking spaces per dwelling is both a maximum requirement and an excessive one, given the bus service on Togher Road and the proximity of significant employment and educational centres. Attention is also drawn to the practice of bin lorries of standing on Togher Road rather than entering onto sites. In these circumstances, the removal of 2 no. car parking spaces would be in order, thereby providing scope for a turning head, which could be laid out as a shared surface with the adjoining open space. (An autotrack plan has been submitted, which demonstrates the said scope for turning).
- With respect to the third reason, the applicant comments as follows:
  - The presence of two storey dwelling houses elsewhere in the area does not mean that a three storey building is inappropriate. In this respect, the three storey portion of the proposal would be sited at the front of the site and thus away from existing two storey dwelling houses in the vicinity. Unlike these dwelling houses, the site would be accessed directly off Togher Road and the proposal would add interest to the streetscape. The design of the proposal would entail the specification of rectangular forms and a flat roof. However, this would be aesthetically appropriate, and it would reduce overshadowing. Windows would be inserted in positions where overlooking of residential properties would be avoided.
  - The proposal is for 5 apartments, which represents a density of only 41 dwellings per hectare, so over development would not result. Attention is drawn to the above cited response to the second reason for refusal. The type of apartments would be of benefit to the local community as they would facilitate “step down”, thereby releasing larger dwelling houses for larger households.
  - The planning authority’s Recreation and Amenity Policy requires that 12 – 18% of the site be laid out as useable open space. Under the proposal, 23.5% of the site would be thus laid out to provide grassed/landscaped



areas and 2 no. play areas. Furthermore, at 50 sqm each, these play areas would constitute a neighbourhood play area under the said Policy. This approach is considered appropriate from play and landscape perspectives. However, if it is considered that the 100 sqm should be sited in the one area, then an alternative proposal, which would achieve this objective, has been submitted.

Attention is drawn to the generous specification of ground floor gardens and balconies to the apartments.

- Significant overshadowing of residential properties to the east and to the west of the site would not occur. Instead overshadowing would be confined to sunrise and sunset. As it is the properties concerned were affected at these times by overshadowing from trees on the site, which were recently removed.
- The applicant comments upon the streetscape impact of the proposal in a similar vein to its comments upon the first point of its response to the third reason for refusal.

## 6.2. Planning Authority Response

None

## 6.3. Observations

Eight local residents have submitted observations. Several reiterate the planning authority's reasons for refusal. Beyond these observations, the remainder are summarised below:

- A three storey building would be out of character with surrounding single storey and two storey dwelling houses and it would spoil views over the city. Some years ago, an apartment scheme was refused elsewhere on Togher Road and the site was subsequently developed to provide 5 no. two storey dwelling houses. By contrast, to accede to the current proposal would establish an adverse precedent.

- The proposal would lead to overshadowing/loss of sunlight and overlooking/loss of privacy of the residential properties to the rear of the site, e.g. No. 11 Forest Ridge Crescent. It would also lead to overlooking of residential properties on the opposite side of Forest Ridge Crescent, e.g. No. 29.
- Noise during the construction phase and during the operational phase, e.g. from the use of balconies, would pose a nuisance to local residents.
- The density of the proposal would militate against the provision of a children's play area.
- The high density of the proposal would militate against the provision of sufficient car parking spaces and so overspill parking on Togher Road and Forest Ridge Crescent is anticipated.
- The proposed entrance is sited off a busy and dangerous stretch of Togher Road and so it would not be suitable to serve 5 no. apartments. The south western sightline would be inadequate and a bus stop would lie in too close a position to the north east.
- Pressure for another entrance off Forest Ridge Crescent is predicted.
- The proposal would adversely affect property values.

#### 6.4. **Further Responses**

None

#### 7.0 **Assessment**

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

- (i) Land use, density, and height,
- (ii) Residential amenity,
- (iii) Development standards,

(iv) Traffic, access, and parking,

(v) Water, and

(vi) Appropriate Assessment.

**(i) Land use, density, and height**

- 7.2. Under the LAP, the site lies within the development boundary and in area denoted as “existing built up area”. The planning history of the site indicates that there was formerly a dwelling house thereon and that it was recently demolished, and the site cleared. At present it is vacant and unused. Existing housing areas surround the site and so, given its history and their presence, redevelopment for residential use would be appropriate from a land use perspective.
- 7.3. The proposal is for apartment type accommodation. The applicant states that such accommodation would be of value to local residents who may wish to “step down” from family size accommodation while remaining in the locality. During my site visit I observed that two storey dwelling houses predominate in this locality and so there is a *prima facie* need to increase the range of accommodation types available. The proposal would comprise only two-bed apartments and so it could be construed as failing to provide a good mix of sizes. However, it is only a small development and, given the prevalence of larger dwelling houses in the locality, I consider that it would make a positive contribution to widening the range of accommodation types. Under SPPR 2 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, there is latitude in proposals for up to 9 no. apartments for this approach to be adopted.
- 7.4. As originally submitted, the proposal would have comprised 7 no. two-bed apartments and, as revised, it would comprise 5 no. two-bed apartments. The site has an area of 0.12 hectares and so the original and revised densities would be the equivalent of 58 and 41 dwellings to the hectare. It is adjacent to a bus stop on Spur Hill, which is served by Bus Eireann routes no. 214 and 219, which run between Saint Patrick St. and Cork University Hospital and Mahon and the Cork Institute of Technology (southern orbital), respectively. This site is thus on a public transport corridor and so, under Section 5.8 of the Sustainable Residential Development in Urban Areas Guidelines, the aforementioned densities would be appropriate.

- 7.5. Observers challenge the density of the proposal insofar as it would, in their view, militate against the satisfactory/adequate provision of children's play areas and car parking spaces. This challenge is thus not directly against the proposed density *per se* but against its implications with respect to these aspects of the development, which I will discuss below under the third and fourth headings of my assessment.
- 7.6. The proposed apartment block would be sited in the south western half of the site and in a position towards the front of this site. It would be of three storey form at the front and two storey form at the rear. Dwelling houses within the vicinity are of two storey form. The applicant has submitted cross sections and 3-dimensional views of the proposal, which illustrate how the proposed apartment block would relate to the dwelling houses within its vicinity. The construction of this block would entail the lowering of the south western portion of the site especially and so the height of the front three storey section would be disguised to a degree from public vantage points to the SE and the SW, i.e. the rising local road Spur Hill and the adjoining small area of public open space, respectively. Thus, the profile of the block in conjunction with the nearest dwelling houses to the NE and SW would appear as an inter-mediatory one between them. However, the siting of this block nearer to Spur Hill than these dwelling houses would give it a prominence when viewed from this local road that they do not have. The rear two storey section would be in scale with these dwelling houses.
- 7.7. I note that the former two storey building on the site was sited in its SW corner and so there is precedent for the siting now envisaged. I note, too, that there are similarly sited buildings at intervals along the same side of Spur Hill to the NE. While the proposal would be larger than these comparable buildings, I do not consider that it would be inordinately so, as its design, in terms of massing, elevational detailing, and finishing materials, would serve to ease its perceived size. Accordingly, I do not accept the Planning Authority's critique in its third reason for refusal that the proposal would be incongruous and overbearing in the streetscape.
- 7.8. I, therefore, conclude that the proposed redevelopment of the site for residential use would be appropriate, its density *per se* would raise no in principle objection and its height would be compatible with existing streetscapes and visual amenity.

## **(ii) Residential amenity**

- 7.9. The observers express concern over the impact of the proposal upon the residential amenities of the area. They identify noise as a potential issue during the construction phase and, also, during the operational phase, e.g. from the use of balconies. Additionally, during the operational phase, they identify overshadowing and the risk of overlooking of neighbouring residential properties.
- 7.10. Construction phase noise would be capable of being addressed by means of conditions that control the days and hours of activities and the management of such activities.
- 7.11. Operational phase noise from balconies would be largely “designed out” insofar as the proposed first and second floor balconies in the SW corner of the block would be orientated towards Spur Hill and the small area of adjacent public open space and the first floor balcony in the NW corner would be orientated towards this same space. The northern end of this latter balcony would be enclosed by a projecting solid wall, which would restrict any noise breakout with respect to the adjacent residential properties to the north, i.e. Nos. 10 and 11 Forest Ridge Crescent.
- 7.12. The applicant has submitted a shading study, which depicts the shadowing that would arise from the proposal at different times of the year. This study shows some early morning overshadowing of the rear garden to No. 11 in the spring/summer/autumn and, likewise, some early evening overshadowing of the rear garden to No. 12. Winter overshadowing would be greater again. The applicant draws attention to the formerly heavily treed boundaries of the site, which would have led to considerable overshadowing of the said residential properties. I consider that what is now in prospect would be less than that which featured historically and that it would be compatible with the maintenance of reasonable lighting levels in these properties. Accordingly, I do not accept the Planning Authority’s critique in its third reason for refusal that the proposal would lead to excessive overshadowing.
- 7.13. The proposal would be sited in a position whereby it would be set back from those boundaries which are shared with the aforementioned residential properties. As noted above, the proposed balconies would be sited and designed to minimise any correspondence with these properties. Likewise, habitable room openings would be either orientated away from the same or sited where they would correspond with

front gardens, side elevations, or Spur Hill. Thus, the opportunity for overlooking and a consequent loss of neighbour privacy would be limited.

7.14. I conclude that the proposal would be compatible with the residential amenities of the area.

### **(iii) Development standards**

7.15. The proposal would comprise 5 no. two-bed apartments, each of which would have a floorspace of 109 sqm. These apartments would be designed to accommodate four people. Quantitatively, under Appendix 1 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, such apartments are required to have a floorspace of 73 sqm. The proposed apartments would exceed this requirement and the associated minimum floorspaces and dimensions for individual rooms. In this respect, I note that whereas the front 3 no. apartments would have a dedicated utility room in addition to a closet in each bedroom, the rear 2 no. apartments would simply have a closet in each bedroom. However, given the potential for storage afforded by closets, I do not consider that a dedicated utility room is necessary in these latter apartments.

7.16. Qualitatively, the front apartments would be dual aspect to the SE and the SW, while the rear apartments would have habitable openings in three directions, with the SW and NE predominating. Under SPPR 5 of the aforementioned Guidelines the minimum floor-to-ceiling height of ground floor apartments is 2.7m. Under the proposal, a height of 2.4m would be provided and so this should be increased by condition to ensure that this requirement is achieved.

7.17. Externally, the ground floor apartments would have rear gardens (58.3 sqm and 79.6 sqm) and the upper floor apartments would have balconies, each of which would be 7.2 sqm. Under the aforementioned Guidelines, 7 sqm is the minimum in this respect. The said gardens would be sunken in relation to the SE and SW boundaries of the site. However, the one which would serve apartment no. 1 would be of reasonable depth and the one which would serve apartment no. 2 would wrap around its SE and SW elevations, thereby providing different sun lighting options.

7.18. Communal open space would be provided along the northern and north eastern boundaries of the site and to the rear of the proposed car parking spaces. This space would include 2 no. play areas of 50 sqm each and tree planting. Under the

Planning Authority's Recreation and Amenity Policy, the proportion of the site area that would be laid out as communal open space would exceed the range normally required. The tapered shape of the northern portion would contrast with the rectangular shape of the eastern portion, their utility would thus differ, and so I consider that the applicant's suggestion that the play areas be amalgamated in the east is one that I welcome. Tree planting could thus be carried out to a greater extent in the north. These matters could be conditioned.

- 7.19. A bin store would be sited in the SE corner of the site adjacent to the site entrance. This store would be enclosed on each side and its presence would be screened from public view by the front wall to the site.
- 7.20. I conclude that the proposal would afford a satisfactory standard of amenity to future residents.

**(iv) Traffic, access, and parking**

- 7.21. Historically, the site accommodated a single dwelling house, which was accessed via an entrance from Spur Hill. Under the proposal, five dwellings would be provided on the site and so a corresponding increase in traffic generation could be anticipated.
- 7.22. The proposed site entrance would entail the re-siting and widening of the existing site entrance from Spur Hill to a position further to the SW on the site's frontage. This entrance and the accompanying site access road and car parking spaces were the subject of revision under further information. Sightlines of 2.4m x 70m in either direction would be available and a refuge of 4.5m depth would be available forward of the gates.
- 7.23. The aforementioned sightlines would require the setting back of the existing front boundary wall, which is composed of random rubble stone. The applicant proposes to replace this wall with a blockwork wall, which would be rendered and capped. Instead, I consider that the existing stonework should be reused in the realigned wall so that this characterful boundary treatment is retained. This could be conditioned. The site entrance would be splayed with separate vehicle and pedestrian gateways. It would be accompanied by sweeping radii kerbs to either side, which should be tightened in accordance with DMURS principles. This, too, could be conditioned.
- 7.24. The Planning Authority's draft second and third reasons for refusal critique the proposal on the basis that it would afford in adequate turning facilities to allow larger

vehicles such as bin lorries to turn on-site. The applicant has responded to this critique at the appeal stage by submitting a plan showing an auto track of a bin lorry superimposed upon the site layout, which is modified to allow two of the proposed car parking spaces to be used as a turning head. Notwithstanding this plan, the applicant draws attention to the practise of bin lorries servicing residential properties along Spur Hill while standing on this local road.

- 7.25. I note the auto track illustrates how a bin lorry could turn around on the site. I note, too, that any bin lorry would be likely to stand for longer in servicing the proposed 5 no. apartments than it would do for a single dwelling house. Observers have drawn attention to the busyness of Spur Hill. In all of these circumstances, I consider that it would be desirable to ensure that bin lorries could stand off the local road and turn around on-site. To facilitate such movements and to encourage the wider accessibility and permeability of the proposal, I therefore consider that it should be un gated. This could be conditioned.
- 7.26. The aforementioned turning head is predicated on the omission of 2 no. of the 10 no. proposed car parking spaces. The CDP cites 1.25 car parking spaces as the requisite minimum number per apartment. Under further information, the Planning Authority sought the provision of 2 spaces per apartment, which the applicant designed for in the revised site layout. However, under Paragraph 4.21 of the Sustainable Urban Housing: Design Standards for Apartments Guidelines, advice is given that within suburban locations served by public transport, such as the application site (where bus stops lie immediately adjacent to it), there should be a bearing down on maximum car parking standards. In these circumstances, the omission of 2 no. spaces as proposed would be justified. The applicant proposes that the turning head be laid out as a shared surface so that it could effectively contribute to the communal open space when not in use as a turning head. Distinguishing surface materials should be specified in this respect. This could be conditioned.
- 7.27. The proposal specifies 2 no. cycle stands. Under the CDP, a minimum of 0.5 stands should be provided per apartment. In order to promote cycling as a sustainable mode of transport, I consider that this number should be increased to 5 no. cycle stands. This could be conditioned.



7.28. I conclude that, subject to revisions to the proposed entrance and the specification of a turning head within the site, the proposed access and parking arrangements for the site would be satisfactory.

**(v) Water**

7.29. As originally submitted, the applicant proposed to connect to the public water mains and the combined public sewer in Spur Hill. However, under further information, Irish water advised that, whereas a connection to the public water mains could be facilitated, a foul water one only to the combined public sewer could be facilitated. The applicant has thus brought forward proposals to dispose of surface water within the site, via a grit-sump manhole and an attenuation tank, which would be sized to handle 1 in 100 year storm events. These proposals are based on soil percolation tests that were undertaken in accordance with the BRE 365 Guidance Document.

7.30. The Planning Authority has critiqued the applicant's surface water proposals, on the basis of Engineering advice that expresses apprehension with respect to future maintenance and the need to ensure that soakaways are a minimum of 5m away from site boundaries. The applicant has responded by stating that SuDS methodologies are standard in urban sites and the said minimum clearance distance could be achieved.

7.31. I note the aforementioned exchanges and I note, too, that the proposal would be the maintained by a management company, which would, presumably, include the future maintenance of the surface water drainage arrangements.

7.32. The site is not shown as being the subject of any identified flood risk in the OPW's floodinfo.ie website. On the OPW's floodmaps.ie website a reoccurring flood event is identified at a point to the NE of the site on Spur Hill. However, as this location lies at a lower level than the application site, I do not anticipate that it would pose a risk to the same.

7.33. I conclude that the proposed water supply and drainage arrangements for the site would be satisfactory.

**(vi) Appropriate Assessment**

7.34. The site is not in a Natura 2000 site and it is a serviced urban one. The nearest such sites lie in Cork Harbour, i.e. Great Island Channel SAC and Cork harbour SPA. I am

not aware of any source/pathway/ receptor route between this site and these sites. Accordingly, the proposal would not raise any Appropriate Assessment issues.

- 7.35. Having regard to the nature and scale of the proposal, the nature of the receiving environment, and the proximity of the nearest European sites, no Appropriate Assessment issues arise, and it is not considered that the proposal 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. That permission be granted.

## 9.0 Reasons and Considerations

Having regard to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, the Cork County Development Plan 2014 – 2020, the Ballingcollig-Carrigaline Municipal District Local Area Plan 2017, and the planning history of the site, it is considered that, subject to conditions, the proposed redevelopment of the site for residential use would be appropriate in land use terms and that, given this site's location on a public transport corridor, the density of the proposal would be appropriate, too. The proposal would afford a satisfactory standard of amenity to future residents and it would be compatible with the visual and residential amenities of the area. Subject to the specification of a turning head, the proposed access and parking arrangements would be satisfactory, too, as would the proposed water supply and drainage arrangements. No Appropriate Assessment 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 1 <sup>st</sup> day of November 2018 and by the further plans and particulars received by An Bord Pleanála on
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	<p>the 15<sup>th</sup> day of January 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.</p> <p><b>Reason: Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The floor to ceiling height of the ground floor shall be 2.7 metres.</p> <p>(b) The proposed play area in the northern portion of the site shall be omitted and the proposed play area in the eastern portion of the site shall be expanded correspondingly. Trees shall be planted in the thus vacated northern portion of the site. A detailed design, including the specification of play equipment and street furniture, of the combined play area shall be prepared.</p> <p>(c) The new front boundary wall shall be composed of random rubble stone.</p> <p>(d) The new site entrance shall incorporate tighter radii kerbs and it shall be ungated at all times.</p> <p>(e) The proposed turning head shown on drawing no. 17321-PL-005 revision P01.01 shall be incorporated in the layout of the site and this turning head shall be the subject of finishing materials that clearly distinguish it from the on-site access road and the car parking spaces.</p> <p>(f) A minimum of 5 no. cycle stands shall be provided.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interests of the amenities of future residents, visual amenity, good traffic management and road safety, and sustainable transportation.</p>

3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed apartment block shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
4.	<p>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.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>The applicant or developer shall enter into water and waste water connection agreements with Irish Water prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of public health.</p>
6.	<p>The internal road serving the proposed development shall comply with the detailed standards of the planning authority for such road works.</p> <p><b>Reason:</b> In the interest of amenity and of traffic and pedestrian safety.</p>
7.	<p>Street 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 apartment.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>
8.	<p>Proposals for a street name, apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the street name and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.</p>

	<p><b>Reason:</b> In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>
9.	<p>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.</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><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
10.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of roads, surface water drainage, and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
11.	<p>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:</p> <ul style="list-style-type: none"> <li>(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;</li> <li>(b) Location of areas for construction site offices and staff facilities;</li> <li>(c) Details of site security fencing and hoardings;</li> <li>(d) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</li> <li>(e) Details of appropriate mitigation measures for noise, dust and vibration,</li> </ul>

	<p>and monitoring of such levels;</p> <p>(f) 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;</p> <p>(g) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(h) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>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.</p> <p><b>Reason:</b> In the interest of amenities, public health and safety.</p>
12.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing –</p> <p>(i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.</p> <p>(ii) Details of roadside/street planting.</p> <p>(iii) Hard landscaping works, specifying surfacing materials, and finished levels.</p> <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.</p> <p>(c) A timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established.</p>

	<p>Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of residential and visual amenity.</p>
13.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To ensure the satisfactory completion of the development.</p>
14.	<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 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.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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Hugh D. Morrison  
Planning Inspector

10<sup>th</sup> April 2019