



An
Bord
Pleanála

Inspector's Report ABP-303620-19

Development	Construction of 22 no. houses and all associated siteworks.
Location	Springfort Meadows, Limerick Road, Nenagh County Tipperary.
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	18/601348
Applicant(s)	Singland Homes Ltd.
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Parties
Appellant(s)	Bartley & Marion Ryan Elaine McWeeney & Others
Observer(s)	None
Date of Site Inspection	26 th April 2019
Inspector	Michael Dillon

1.0 Site Location and Description

- 1.1. The site, with a stated area of 1.31ha, comprises four distinct areas within the partially-completed Springfort Meadows housing estate, on the western side of the town of Nenagh in Co. Tipperary. The estate comprises a mixture of two-storey detached and semi-detached houses. Some of the houses, where they back onto houses to the north of the estate – are single-storey to the rear – with no dormers or rooflights in the rear pitch of the roof. External finishes comprise plaster & red-brick to the front and dry dash gables, and brown-tile roofs. The estate is provided with footpaths and public lighting. There are two large areas of landscaped public open space, with a number of smaller landscaped, incidental open space areas. The estate is largely located on flat ground. The 50kph speed restriction applies.
- 1.2. Area A backs onto the rear gardens of single-storey and dormer houses to the north on the old Limerick Road – and is flanked to east and west by existing two-storey houses within Springfort Meadows. There is a centrally-located public open space area (surrounded by estate roads), immediately to the south. The area contains two partially-built, semi-detached houses (which will be completed as part of the proposed development). The site is fenced-off from the public open space area to the south, to prevent trespass; and largely comprises a building site. The land in this area slopes very gently downhill from south to north.
- 1.3. Area B is a corner site, flanked by estate roads to the east and south, and by two-storey houses within the Springfort Meadows estate to north and west. The boundary with housing comprises concrete block walls – some of which are capped, and neither of which are plastered. The area is approximately 1m below the level of the estate road to the south – and is largely clear of vegetation.
- 1.4. Area C is flanked by two-storey houses to east and west within the Springfort Meadows estate – the boundary with which are 1.7m high concrete block walls, which are uncapped and unplastered. To the north, the area abuts an estate road. To the south, the area abuts agricultural land – the boundary with which is a good-quality hedgerow with mature deciduous trees. The site is overgrown and part of it is fenced-off to prevent trespass.
- 1.5. Area D is the largest of the four. To east, south and west, it abuts roads within the Springfort Meadows estate. To the north, the site abuts the rear gardens of two-

storey houses – the boundary with which is a 2.2m high wall which is capped but not plastered. The site is overgrown and unkempt at the western end; but some attempt has been made to keep the grass in order at the eastern end.

2.0 Proposed Development

2.1. Permission sought on 12th November 2018, for housing development as follows-

- 20 no. four-bedroom, two-storey houses in two different house types – detached and semi-detached.
- 2 no. two-bedroom, single-storey houses.
- Development within four existing vacant plots (A-D), within the Springfort Meadows housing estate.
- Water supply is from existing public mains.
- Foul waste will be discharged to existing foul mains sewers.
- Surface water will be discharged to existing surface water mains sewers.

2.2. The application is accompanied by the following documentation of note-

- Letter of consent from TCC, to the making of the planning application.
- Letter from TCC relating to requirement for two Part V houses.
- Letter from Tipperary Childcare Committee (dated 6th July 2018) in relation to availability of childcare places on nearby Limerick Road.
- Design Statement from Healy Partners, Architects.

3.0 Planning Authority Decision

By order dated 10th January 2019, Tipperary County Council issued a Notification of decision to grant planning permission subject to 15 no. conditions – the principal ones of which may be summarised as follows-

1. Development for 22 houses to be carried out in accordance with the plans and particulars submitted with the application.

2. Requires compliance with section 96 of the Planning and Development Act, 2000 (as amended) – in relation to social & affordable housing.
3. Relates to phasing.
14. Requires payment of a development contribution of €101,420.
15. Relates to bond of €42,000 for completion of development – for Area A only.

4.0 Planning History

Ref. 14/600503: Permission refused on 12th March 2015, to extend permission ref. 09/520029.

Ref. 09/520029: Permission granted on 14th December 2009, to construct 27 houses within the Springfort Meadows estate – some 23 of which were within the current appeal site four areas (A-D) – and two of which were partially constructed. The remaining four houses were constructed.

Ref. 07/520056: Permission granted for change of house-type for 4 houses. Development was completed.

Ref. 05/520018: Permission granted for creche within the Springfort Meadows estate. This creche was never constructed – and the area is currently laid out as open space.

Ref. 05/520017: Permission granted for change of house-type for 27 houses. 21 of these houses were constructed. The remaining 6, within Area A were not completed (two houses were partially-completed).

Ref. N32/3000: Permission granted by Nenagh Town Council for housing development of 131 houses. On appeal to An Bord Pleanála (**PL 74.131281**) by 3rd Party, permission was granted on 22nd January 2004.

5.0 Policy and Context

5.1. Development Plan

The relevant document is the Nenagh Town & Environs Development Plan 2013-2019 (as varied). The site is zoned 'Existing Residential'.

5.2. Natural Heritage Designations

The site is neither within nor immediately abutting any natural heritage designations.

The closest such are-

- Lough Derg (Shannon) SPA (Site code 004058) – located some 6.3km to the northwest.
- Slievefelim to Silvermines Mountains SPA (Site code 004165) – located some 7.7km to the south.
- Silvermines Mountains SAC (Site code 000939) – located some 8.3km to the south.
- Silvermines Mountains (West) SAC (Site code 002258) – located some 8.4km to the south-southwest.
- Lower River Shannon SAC (Site code 002165) – located some 10.1km to the south-southwest.
- Bolingbrook Hill SAC (Site code 002124) – located some 9.5km to the south.
- Keeper Hill SAC (Site code 001197) – located some 10.7km to the south-southwest.
- Lough Derg North-east Shore SAC (Site code 002241) – located some 10.2km to the north-northwest.

6.0 The Appeal

6.1. First 3rd Party Grounds of Appeal

6.1.1. The appeal from P.J. Brett & Associates, agent on behalf of Bartley & Marion Ryan, received by An Bord Pleanála on 5th February 2019, can be summarised in bullet point format as follows-

- The appellants reside in a bungalow to the rear of Plot no. 28 – facing onto old Limerick Road. It is proposed to erect two-storey houses on Area A.
- There is a separation distance of only 30m between the rear wall of the appellants' house and the rear wall of the two-storey house on plot no. 28.

- The finished floor level of the proposed house is approximately 1.4m above the level of the appellants' house – resulting in overlooking/loss of privacy.
- This issue arose previously when Nenagh Town Council granted permission for the overall estate. This decision (ref. N32/3000) was appealed to An Bord Pleanála (ref. PL 74.131281). Condition 3 of the Board's permission required that dwellings backing onto the appellants' house and neighbouring houses, were to be redesigned as single-storey to the rear. This solution was acceptable, and remains acceptable to the appellants.
- The four dwellings to the rear of the appellants' house should be redesigned as single-storey to the rear.
- As part of the previous permission, a block wall was to be erected along the boundary of the appellants' rear garden. This wall was never completed as far as the appellants' property. The hedgerow was removed, but before the wall could be built, the developer went into liquidation. Temporary fencing has been in place for over seven years. This wall should be completed in advance of any housing construction. A condition to this effect should be included in any grant of permission to issue from the Board.

6.1.2. The appeal is accompanied by the following documentation of note-

- Map extract showing the appellants' house relative to the proposed development.
- 3 no. photographs of part-built dwellings to the rear of the appellants' house.

6.2. **Second 3rd Party Appeal**

The appeal from Elaine McWeeney & Others, received by An Bord Pleanála on 5th February 2019, can be summarised in bullet point format as follows-

- The density of housing for area D is excessive.
- Higher traffic levels will impact on the amenities of existing residents. Houses owned by the HSE within the estate have been converted into day centres for adults – generating traffic which is in excess of what normally exists within an housing estate.

- Owners may rent out the houses on a per-room basis – thereby increasing traffic.
- Housing at Area D will deprive existing children of open space which they have used over the past ten years. Area D should be converted into a green area for children.
- Additional housing will bring more children – where there is insufficient finished green space. This would be detrimental to the quality of life of children of existing and proposed residents.
- Houses 120 & 121 will deprive children of a safe play area.
- The layout of housing within Area D is not in keeping with the existing housing layout. Houses within this area are not aligned with existing houses.
- Squeezing two additional houses onto sites 120 & 121 would give an appearance of being over-crowded. These houses were never part of the original planning permission.
- Houses 120 & 121 would affect forward visibility for drivers and would represent a traffic hazard.
- Residents have had to wait a long time for the estate to be taken-in-charge. New building work will severely disrupt the amenities of residents. The estate is now well-settled. Noise and dust during the construction will negatively affect the amenities of residents.
- Construction works would be a major health & safety concern for residents – particularly children.
- New houses will necessitate the digging-up of recently-laid roads to connect to existing services. The cul de sac arrangement in Area D would require multiple connections to underground services.

6.3. Applicant Response

The response of McCarthy Keville O’Sullivan, agent on behalf of the applicant, Singland Homes Ltd, received by An Bord Pleanála on 7th March 2019, can be summarised in bullet point format as follows-

- The planning history of the housing estate is set out.
- The development is in accordance with the National Planning Framework – ‘Ireland 2040’.
- The development is in accordance with the Mid-West Regional Planning Guidelines 2010-2022. Nenagh is recognised as the fastest-growing town in the Region, and is a Key Service Town.
- The site is zoned for residential development in the Nenagh Town & Environs Development Plan 2013-2019.
- The application sites are vacant plots within an existing housing estate. The areas are not permitted open space areas. It was always intended that housing be constructed on these sites. There is an urgent requirement to deliver housing units in this area.
- The density of the housing estate, when completed, will be 20 units per ha. The recommended densities for urban fringe areas within the town is 20-25 units per ha.
- There are two, high-quality, open space areas within the housing estate. There is no need for further open space – particularly at Area D.
- The proposed houses respect the form and scale of the existing estate. External finishes of houses will be similar to the finishes of existing houses. The new houses will integrate with existing houses in terms of height, scale and finish.
- Curtilage parking will be provided for all houses.
- A Construction Traffic Management Plan, which will be prepared by the developer, and submitted to the PA, will ensure that there will be no traffic hazard during the construction phase.
- The PA attached conditions in relation to hours of construction, noise, waste and traffic safety. These conditions will ensure that residential dis-amenity will be kept to a minimum. The developer is required by the PA to submit a Construction Environmental Management Plan.

- The development provides for a 2m high wall between Area A and the rear gardens of houses on Limerick Road.
- There is a minimum separation distance of 32m between opposing windows of houses on old Limerick Road and houses within Area A. This is more than sufficient to ensure that there will be no excessive over-looking.
- The developer intends to commence construction immediately, on receipt of permission.

6.4. **Planning Authority Response**

The response of TCC, received by An Bord Pleanála on 18th February 2019, indicated that the PA had no further comment to make.

6.5. **Observations**

None received.

6.6. **Further Responses**

The 1st Party response to the Grounds of Appeal was circulated to the other parties to the appeal for comment – on or before 4th April 2019.

6.6.1. First 3rd Party Response to 1st Party Response to Grounds of Appeal

The response of P.J. Brett & Associates, agent on behalf of Bartley & Marion Ryan, received by An Bord Pleanála on 3rd April 2019, can be summarised in bullet point format as follows-

- The construction of the 2m wall is not at issue. It is required that this wall be constructed in advance of the housing at Area A.
- In relation to overlooking, the finished-floor level of the proposed houses will be 1.4m above the level of the appellants' bungalow, and will result in loss of privacy. This issue arose previously, and was dealt with by a requirement for single-storey rear elevations for houses in this area. The response does not address the issue of overlooking.
- Dwellings 25, 26, 27 & 28 should be reduced to single-storey at the rear.

The response is accompanied by an A3 plan and section drawing showing Area A relative to the appellants' bungalow.

6.6.2. Second 3rd Party Response to 1st Party Response to Grounds of Appeal

The response of Elaine McWeeney & Others, received by An Bord Pleanála on 4th April 2019, can be summarised in bullet point format as follows-

- The response does not take account of the fact that residents have enjoyed quiet occupation of this estate for the past 10-12 years.
- The response reiterates concerns in relation to additional traffic, safety and noise. There is no provision made for overflow car-parking.
- Referring to Area D as 'infill' presupposes that it is only suitable for housing. Residents consider that it is suitable for open space use. The response reiterates the comments already made in relation to the need for, and use of, open space in this area. There is a lack of recreational space within this development.
- The layout of Area D is not in keeping with the layout of the existing estate. The houses should address houses on the opposite side of the road. The layout proposed for Area D is not observable anywhere else within the estate. Additional houses at sites 120 & 121 have been squeezed-in.
- The permission does not address the issue of children's safety during the construction phase. Construction noise will impact on shift workers living within the estate. Saturday construction work will severely impact on residential amenity. Dust & dirt will impact on amenity.
- The peace and quiet of existing residents will be disturbed by construction.

6.6.3. 2nd Party Response to 1st Party Response to Grounds of Appeal

The response of TCC, received by An Bord Pleanála on 14th March 2019, indicated that the PA had no further comment to make.

7.0 **Assessment**

The principal issues of this appeal relate to the design and layout of the scheme's four separate parts and to the impact on residential amenity.

7.1. Development Plan

The site is zoned for residential use. The four areas comprise uncompleted areas within an existing housing estate. The development proposed is in accordance with the zoning provisions for the site. I note that the density of development, at 20 units per ha, is low. However, the proposed development is for 22 houses, where formerly permission existed for 23 houses. The marginal reduction in density cannot be considered significant.

7.2. Design & Layout

- 7.2.1. The proposal is constrained to some extent by the fact that it is an infill scheme for four distinct plots within a now, semi-mature housing estate. The now lapsed parent permission allowed for the construction of 23 no. houses on the lands which comprise the four areas of this current application/appeal. The style and design of houses largely replicates the pattern of development within Springfort Meadows – the exception being a pair of semi-detached, single-storey, two-bedroom units within Area D. There are two larger and a number of smaller areas of landscaped public open space within this development – planned to serve all of the houses within the estate. There is no need for any additional open space to serve the proposed 22 no. houses – as they were already taken into consideration when the open space layout of the overall estate was planned.
- 7.2.2. Condition 3 of the Notification of decision to grant planning permission related to phasing of development, requiring completion of roads/footpaths before dwellings are occupied. This is of particular relevance to Area A – where a road circling the public open space area remains to be completed.
- 7.2.3. Area A represents a partially-completed section of this housing estate – with a pair of semi-detached houses half-built. It is proposed to complete these two houses, and provide 4 additional detached houses. The first 3rd Party appellant contends that houses within this area should be single-storey to the rear – reflecting the fact that they back onto bungalows on old Limerick Road. I note that previous permissions within the estate required alterations, to ensure that houses on the northern boundary of the estate had single-storey rear elevations. This requirement has been reflected in the types of houses already constructed on the northern boundary of

Springfort Meadows. The question arises as to whether it is necessary to continue such a requirement. The area is zoned for residential development. It is not unusual to have two-storey houses backing onto single-storey and/or dormer houses. The applicant is providing rear gardens of 11m depth. Houses to the north have more generous rear gardens – approximately 20m in length. It was always likely that houses would be constructed on this site – given the zoning of the site for residential development. Construction on this site commenced a number of years ago. It was open to residents of bungalows and a dormer bungalow to the north to undertake screen planting within large rear gardens, if privacy is a concern. The applicant proposes to erect a 2m high wall on the boundary with the bungalows and dormer bungalow to the north. The requirement of the first 3rd Party appellants that the wall be constructed in advance of the housing, is not strictly necessary. It is open to the appellants to secure the privacy of their rear garden through the erection of a fence/wall or screen planting. The proposed development at Area A will result in private rear gardens backing onto private rear gardens. There is no case of public areas abutting private open space areas. The appellants claim that the difference in levels of 1.4m will add to the degree of overlooking which is likely to occur. I would not consider that such a level difference over a separation distance of 30m is significant. I would be satisfied that the proposal to erect two-storey housing at this location will not result in any significant overlooking and/or loss of privacy. The construction of the houses at Area A will require the construction of a road and footpath to serve them – unlike at the three other areas which form this development site.

7.2.4. Area B is a corner site for 2 semi-detached, two-storey houses. The layout reflects the layout of adjoining houses, and is an appropriate form of infill at this location. The proposed development will not result in any loss of amenity for existing residents.

7.2.5. Area C is an infill development for two pairs of semi-detached houses (4 houses in total). The layout reflects the layout of adjoining houses, and is an appropriate form of infill at this location. The proposed development will not result in any loss of amenity for existing residents.

7.2.6. Area D is the largest of the four plots which comprise the proposed development. The proposal is for 10 houses. There is a pair of single-storey, semi-detached

houses proposed at the western end, and then 8 detached houses on the remainder of the site. Previously-permitted layouts on this area, provided for 11 two-storey houses – addressing a row of two-storey houses (now built) to the south. I would see no difficulty with the pair of single-storey semi-detached houses – sites 120 & 121, as these houses address houses on the opposite side of the road (to the west). However, the revised layout for the remaining 8 houses is entirely unacceptable. The applicant states that the layout has been revised to improve the solar gain – where rear gardens originally would have faced north. Whilst this argument is acknowledged, the resulting disamenity for existing residents would outweigh any solar gain for proposed residents. There are a number of other houses in this estate with north-facing rear gardens. The applicant is happy to propose such as part of this planning application within Area A. The visual impact of the layout of the proposed 8 houses is entirely unacceptable. 2m high boundary walls, to screen rear gardens from view, would be erected along considerable lengths of the existing estate road network in this area. Existing houses on the opposite side of the road would be presented with unattractive gable elevations of two-storey houses – in close proximity to the road. The two-storey gable elevations of four of the proposed houses (113, 114, 117 & 118) would be within approximately 1m of the rear gardens of existing houses to the north. Such close proximity would be seriously detrimental to the visual amenities of existing houses immediately to the north. The aforementioned four houses would also result in unnecessary over-shadowing of rear gardens of houses immediately to the north. I would agree with the contention of appellants, that the layout (of these 8 houses) is unacceptable. These 8 houses should be omitted from any grant of permission to issue from the Board – requiring the submission of a revised planning application for a housing layout which respects the existing estate layout and in line with the previously-permitted layout in this area. The pair of semi-detached, single-storey houses (120 & 121) are acceptable.

7.3. Roads & Parking

The proposed houses will make no alteration to the road layout – apart from a small extension to serve Area A – and so there will be no impact on traffic safety, notwithstanding concerns expressed by 3rd Party appellants. Two on-site parking spaces are provided for all houses (with the exception of plot no. 30) – in accordance

with Development Plan standards. Space exists within the front garden of plot no. 30 for a second parking space – and such should be required by way of condition attached to any grant of permission to issue from the Board

7.4. Other Issues

7.4.1. Water

The Springfort Meadows housing estate is served by existing mains water supply and foul and surface sewers. Watermain and drainage layouts have been submitted with the application. Pipes would have been sized to cater for the proposed houses. The application was referred by TCC to Irish Water, and it was indicated that there was no objection. Condition 8 of the Notification of decision to grant planning permission addressed this issue. The condition required a camera survey of existing underground infrastructure – and specifically refers to the surface water network.

7.4.2. Development Contribution

Condition 14 of the Notification of decision to grant planning permission required payment of a development contribution of €101,420. This condition was not appealed by the 1st Party. A similarly-worded condition should be attached to any grant of permission to issue from the Board.

7.4.3. Bond

Condition 15 of the Notification of decision to grant planning permission required the developer to lodge a bond of €42,000, for completion of roads and footpaths at Area A. This is a reasonable requirement. The condition was not appealed by the 1st Party. A similarly-worded condition should be attached to any grant of permission to issue from the Board.

7.4.4. Social & Affordable Housing

The application was accompanied a letter from TCC relating to the requirement for the provision of 2 houses, under the terms of Part V of the Planning and Development Act. The letter refers to the requirement for new-build units – excluding the use of units which are partially constructed within Area A. A condition should be attached to any permission to issue from the Board, requiring compliance with Part V.

7.4.5. Childcare Provision

Permission was granted for a creche within this housing estate – ref. 05/520018. The development was never carried out. The original application to TCC was accompanied by a letter from the Tipperary Childcare Committee, stating that there was adequate provision of childcare facilities in the vicinity of Limerick Road.

7.4.6. Construction Phase

The four distinct areas which form this site (A-D), represent infill development. Appellants point out that residents have enjoyed peace and quiet for 10-12 years. It is acknowledged that construction activities and traffic will result in some level of nuisance for residents of the estate – particularly those living immediately adjacent to the four areas. However, the nuisance caused will be of limited duration, and will result in the completion of this unfinished housing estate. Condition 12 of the Notification of decision to grant planning permission, restricted hours of construction to 0800-1800 Monday to Friday and 0800-1400 on Saturdays, where noise could cause disamentiy for existing residents. Such a restriction is a reasonable requirement, in order to protect the amenities of existing residents. This condition also placed restrictions on the developer in relation to dust and deposition of mud/debris on roads. Condition 13 of the Notification of decision to grant planning permission required the submission of a Construction Traffic Management Plan for the written agreement of the PA. Such a requirement is reasonable: regard being had to the need to protect the amenities of existing residents. The 1st Party response to the grounds of appeal refers to the submission of a Construction Environmental Management Plan to the PA. However, I would note that such was not required by way of condition attached to the Notification of decision to grant permission. It would be prudent to attach such a condition to any grant of planning permission to issue from the Board. These conditions should ensure that the level of disamentiy to existing residents will be kept to a minimum, and that the health and safety of existing residents will be safeguarded.

7.4.7. Archaeology

The four areas, the subject of this application, will already have been subject to a certain degree of ground disturbance in association with construction activities for the rest of the housing estate. There are no Recorded Monuments either within or

immediately abutting the estate. I do not consider that an archaeological monitoring condition should be attached to any grant of permission to issue from the Board.

7.4.8. Public Lighting

Condition 9 of the Notification of decision to grant planning permission related to public lighting. A new section of road is required to provide access to houses within Area A, and public lighting columns will be required. A similarly-worded condition should be attached to any grant of permission to issue from the Board.

7.4.9. Environmental Impact Assessment

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, 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 stage, and a screening determination is not required.

7.4.10. Appropriate Assessment

Having regard to limited nature of the proposed development, and to the fact that it will be connected to the public sewer network, 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 an European site.

7.4.11. Numbering

A condition should be attached to any grant of permission, relating to a numbering scheme.

8.0 **Recommendation**

I recommend that permission be granted for the Reasons and Considerations set out below, and subject to the attached Conditions.

9.0 **Reasons and Considerations**

Having regard to the zoning of the site for residential development within the Nenagh Town & Environs Development Plan 2013-2019, the infill nature of the proposed

development, and the design and layout proposed scheme; it is considered that, subject to compliance with the attached Conditions, the proposed development would not be detrimental to the residential amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and 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 in accordance with the plans and particulars lodged with the application, 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. Houses 112-119 within Plot D (eight houses in total), shall be omitted from the proposed development. A revised planning application shall be submitted for this section of Plot D, to provide for the front of houses to address the existing row of houses on the opposite side of the access road to the south, and for rear gardens to abut rear gardens of existing houses to the north – in line with previously approved layouts for this area of Springfort Meadows.

Reason: In the interest of residential amenity.

3. Two on-site parking spaces shall be provided for each house within the proposed development – an in particular for Plot 30.

Reason: In the interest of orderly development and traffic safety.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

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

Reason: In the interest of public health and orderly development.

6. The road network serving the proposed development (including turning bays, junctions, parking areas, footpaths and kerbs) shall comply with the detailed standards of the planning authority for such road works.

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

7. No house within Plot A shall be occupied, until such time as the roads and footpaths to serve this part of the development have been completed, to the satisfaction of the planning authority.

Reason: In the interest of orderly development and traffic safety.

8. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed houses, shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

9. Prior to commencement of development, proposals for a numbering scheme shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development.

10. Prior to occupation of any house with Plot A, a public lighting layout shall be submitted for the written agreement of the planning authority, and installed/operational to the requirements of the planning authority.

Reason: In the interest of orderly development and traffic and pedestrian safety.

11. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall

be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

12. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates, shall enter into an agreement in writing with the planning authority, in relation to the provision of social and affordable housing in accordance with the requirements of section 96 of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter (other than a matter to which section 97(7) applies) may be referred by the planning authority or any other prospective party to the agreement to the Board for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

13. 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, public open space and other services required in connection with the development, coupled with an agreement empowering the planning 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 the Board for determination.

Reason: To ensure the satisfactory completion of the development.

14. 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 the 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 the Board 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.

**Michael Dillon,
Planning Inspectorate.**

1st May 2019.