



An
Bord
Pleanála

Inspector's Report ABP-303626-19

Development	Construction of 2 no. semi-detached dwelling houses, new entrances together with all ancillary site works.
Location	The Avenue, Lios na Fhea, Gurteenroe, Macroom, Co. Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	18/5364
Applicant(s)	Donall McCarthy
Type of Application	Permission
Planning Authority Decision	Grant, subject to 18 conditions
Type of Appeal	Third Parties -v- Decision
Appellant(s)	William & Nora Hickey Frank & Eileen O'Brien
Observer(s)	None
Date of Site Inspection	3 rd May 2019
Inspector	Hugh D. Morrison

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
4.0 Planning History.....	5
5.0 Policy and Context.....	5
5.1. Development Plan.....	5
5.2. Natural Heritage Designations	6
5.3. EIA Screening	6
6.0 The Appeal	6
6.1. Grounds of Appeal	6
6.2. Applicant Response	8
6.3. Planning Authority Response	10
6.4. Observations.....	10
6.5. Further Responses.....	10
7.0 Assessment.....	11
8.0 Recommendation.....	17
9.0 Reasons and Considerations.....	17
10.0 Conditions	17

1.0 Site Location and Description

- 1.1. The site is located in Lios na Fhea, a new housing estate on the NW outskirts of Macroom. This estate is accessed off Millstreet Road (R582), which runs between the N22, the national primary road that runs through Macroom, to the south and the town of Millstreet to the north. It lies at the foot of a west facing slope, which continues beyond the said Road, which serves other housing estates on either side of it, including Millbrook to the south of Lios na Fhea.
- 1.2. The site lies on the southern side of The Avenue, the “L” shaped spine road to Lios na Fhea. This site is situated in a position between the said spine road and the southern boundary of the housing estate, which abuts Millbrook. It is of regular shape and it extends over an area of 0.055 hectares. The site is the subject of gentle downward gradients from its NE corner. The site is presently vacant and overgrown.
- 1.3. The site is accessed by means of double gates off The Avenue and it is bound by concrete blockwork walls. To the west lies an adjoining area that is enclosed by means of a timber post and rail fence. Beyond this area lies an expanse of grassed open space, which is bound to the west by a stream that passes southwards at a lower level than this space. To the east of the site lies a grassed embankment, which accompanies the initial portion of the spine road.

2.0 Proposed Development

- 2.1. The proposal is to construct a pair of two storey semi-detached dwelling houses on the site.
 - As originally submitted, these dwelling houses would have been sited centrally in the site with car parking on either side. They would have aligned and been symmetrical.
 - Under further information, these dwelling houses were re-sited in the central (House A) and western (House B) thirds of this site, the eastern third being laid out to provide car parking spaces and a side garden for House A. (House B would have car parking spaces laid out in front of it). They would now be slightly staggered in their relationship to one another and the gabled feature in

the front elevation would appear on the LHS in both Houses and be slightly wider in the case of House B.

- 2.2. The proposal would entail the provision of three-bedroomed accommodation over a total floorspace of 238.56 sqm (119.28 sqm x 2). Each dwelling house would be served by a rear garden with a patio and, in addition, House A would be served by a front and a side garden.
- 2.3. At the appeal stage, the first floor layout of each of the dwelling houses has been revised to facilitate the omission of a bedroom window from the rear elevations without the consequent need for any additional windows in the exposed side elevations.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information, permission granted subject to conditions, including the following two:

- One dwelling house only shall be constructed on the site: it shall be sited centrally, and it shall be of a similar scale, design, and layout as the proposed dwelling houses. Rear first-floor windows shall avoid direct overlooking of existing rear gardens to the SE.
- Plans concerning the above shall be submitted to the Planning Authority.

The reason for the first of the above cited conditions is that the two proposed dwelling houses are considered to be too high and too deep.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information requested with respect to the following:

- Details with respect to the locations of the creches in the area and the age profile of the population.

- The rear garden size and clearance distance between proposed House A and adjacent dwelling houses to the SE would be inadequate. One rather than two dwelling houses should thus be proposed for the site.
- Clarification of the ownership of land to the west denoted as “new lawn”.
- Clarification of the use of the aforementioned land, as it was to be laid out for car parking in conjunction with a proposed creche.
- Details of proposed connection to the public sewer.
- Confirmation of Irish water’s willingness to permit surface water to discharge to the public sewer.

3.2.2. Other Technical Reports

- Area Engineer: No objection, subject to conditions.

4.0 Planning History

Site

- 16/6917: Pair of semi-detached dwelling houses: Withdrawn.
- Exemption Certificate application to shadow current proposal.

Adjacent housing estate to the north:

- TP 26/01: 40 dwelling houses: Permitted.
- 05/54032: Increase from 40 to 45 dwelling houses + creche/pre-school facility: Permitted.

5.0 Policy and Context

5.1. Development Plan

Under the Cork County Development Plan 2014 – 2020 (CDP), Macroom is identified as a ring town and, under the Macroom Town Development Plan 2009 – 2015 (TDP), the site is denoted as “an area under construction”.

5.2. Natural Heritage Designations

- Mullaghanish to Musheramore SPA (site code 004162)
- The Gearagh SAC and pNHA (both site codes 000108)
- The Gearagh SPA (site code 004109)

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 development of a 0.055 hectare site to provide 2 dwelling houses. Accordingly, it does not attract the need for a mandatory EIA. Furthermore, as this proposal would fall 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

(a) Frank & Eileen O'Brien of No. 1 Millbrook Close

- The proposal is considered to be an eyesore, which would adversely affect views from the appellants' dwelling house.
- The appellants' rear garden would be overlooked from proposed rear first-floor windows.

Evening light to the said rear garden is highly valued on amenity and health grounds.

Any dwelling house on the site should be single storey with no windows visible from the appellants' rear first-floor windows.

- Under the Cork Design Guidelines, minimum rear garden depths of 11m are prescribed where dwelling houses rear elevations directly correspond with

one another and 1m where their rear elevations are perpendicular to one another. (In between these points pro-rata reductions should be made). The proposal would depart from these requirements.

- Attention is drawn to draft conditions 2 and 3 and the non-availability to the public of any revised plans. Again, a two-storey dwelling house with rear first-floor windows would be unacceptable.

The inclusion of 3 no. additional car parking spaces in the plans submitted under further information is confusing, as the applicant does not own the land that would thus be required.

- When the appellants purchased their property, they were advised that a creche was to be constructed to the rear. Instead, two dwelling houses are now being proposed, which would adversely affect the value of their property.
- Concern is expressed over surface water drainage on the site and the risk that water would congregate in the rear garden and lead to flooding of the appellants' rear garden. (Surface water presently runs from east to west across the site). Details of how such water would be handled are lacking in the submitted plans.
- The need for two dwelling houses is questioned, as there are presently 32 no. existing three-bedroom dwelling houses on the market in Macroom.

(b) William & Nora Hickey of No. 12 Millbrook Close

- The proposal would adversely affect views from the appellants' dwelling house.
- Windows in the exposed side elevation to proposed house A would lead to overlooking of the appellants' property. There is also a risk of overlooking from ground floor windows too, i.e. over boundary walls.
- Under the Cork Design Guidelines, minimum rear garden depths of 11m are prescribed where dwelling houses rear elevations directly correspond with one another and 1m where their rear elevations are perpendicular to one another. (In between these points pro-rata reductions should be made). The proposal would depart from these requirements.

- The applicant would be unlikely to be in a position to develop the land to the west of the subject site to provide 3 no. car parking spaces and a new lawn. If he is, then the proposed dwelling houses should be re-sited to the west.
- When the appellants purchased their property, they were advised that a creche was to be constructed to the rear. Instead, two dwelling houses are now being proposed, which would adversely affect the amenity of their property.
- Concern is expressed over surface water drainage on the site and the risk that water would congregate in the rear garden and lead to flooding of the appellants' rear garden. (Surface water presently runs from east to west across the site). Details of how such water would be handled are lacking in the submitted plans.
- The proposal would lead to overshadowing of the appellants' property in the afternoon and, in addition, the obstruction of direct sunlight in the evening.
- The need for two dwelling houses is questioned, as there are presently 30 no. existing three-bedroom dwelling houses on the market in Macroom.
- The site would possibly be suitable for a bungalow, provided compliance with the Cork Design Guide can be achieved.

6.2. Applicant Response

The applicant has submitted further revised plans, which, as a result of reorganising the internal layouts of the proposed dwelling houses, show the omission of rear first-floor windows, thereby negating overlooking.

A rear garden depth of 11m would be achieved for proposed House B.

The applicant contends that, given the conditioning of a single dwelling house centrally within the site, his current proposal for two would have no greater impact upon the amenities of the appellants' properties than would arise under the conditioned scenario.

Attention is drawn to the following factors:

- The site area is typical for pairs of semi-detached dwelling houses.

- The Sustainable Residential Development in Urban Area Guidelines, which advise on a flexible application of conventional separation distances, where design solutions to reduce the risk of overlooking are availed of.
- The demand for housing in Macroom and the importance of maximising provision on serviced “brownfield” sites within the town. Additionally, the site’s location near to a junction on the future by-pass of the town, underscores the need to realise its potential.

The applicant responds to appellants (a) as follows:

- The proposal would not be an eyesore. Instead, it would respect the existing character of the estate. Views from the appellants’ property would be unaffected.
- The redesigned dwelling houses would eliminate the opportunity for overlooking and the rear elevation of the appellants’ dwelling house faces NW and so the proposal would not overshadow it.
- Rear first-floor windows have now been omitted.
- Car parking spaces would comply with the requisite standards.
- A more detailed site layout plan has been submitted with corrected sewer invert levels.

The applicant responds to appellants (b) as follows:

- Views would be screened by an existing high boundary wall between the subject site and the appellants’ property.
- The redesigned dwelling houses would eliminate the opportunity for overlooking.
- Rear first-floor windows have now been omitted.
- The applicant does not own the land to the west. Nevertheless, he has undertaken to seed it at his own expense and in accordance with local authority specifications.
- A more detailed site layout plan has been submitted with corrected sewer invert levels.

- The rear elevation of the appellants' dwelling house faces NW and so the proposal would not overshadow it.
- A housing crisis exists and needs to be responded to.

6.3. **Planning Authority Response**

None

6.4. **Observations**

None

6.5. **Further Responses**

Appellants (a)

- Attention is drawn to the advice given to the applicant to re-specify one dwelling house only for the site. Attention is also drawn to the organic flow of the estate road and the appropriateness of developing the site at all is questioned.
- The absence of a housing crisis in Macroom is evidenced by the number and range of dwelling houses on the market.
- The stated orientation of the rear elevation to the appellants' dwelling house is challenged.
- The view is expressed that a creche would be of more value socially than the proposed two dwelling houses.
- Any housing demand that may exist would be met by other estates that are presently under construction in the town.

Appellants (b)

- The absence of a housing crisis in Macroom is evidenced by the number and range of dwelling houses on the market.

- Any housing demand that may exist would be met by other estates that are presently under construction in the town. The Cork side of Macroom has heretofore been more desirable than the Killarney side.
- The comparability of one dwelling house with two is disputed, insofar as this assumes that the one would be similar in size than the two. The view is expressed that only a single storey modest dwelling house would be appropriate.
- Contrary to the applicant's position, views of longstanding would be affected by the proposal, notwithstanding the said common boundary wall.
- Overlooking would persist, due to the proposed rooflights and the retention of windows in the exposed side elevation to propose house A.
- The applicant's seeding of land is only land that he formerly left in its present state.
- Third party verification of the "corrected" invert sewer levels is needed.

7.0 Assessment

7.1. I have reviewed the proposal in the light of national planning guidelines, the Cork County Development Plan 2014 – 2020 (CDP) and the Macroom Town Development Plan 2009 – 2015 (TDP), relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use,
- (ii) Amenity,
- (iii) Development standards,
- (iv) Traffic, access, and parking,
- (v) Water, and
- (vi) Appropriate Assessment.

(i) Land use

- 7.2. The site is located within the Lios na Fhea housing estate in a position off the spine road to this estate. Under 05/54032, this site would have been developed to provide a creche/pre-school facility in conjunction with the construction of 45 dwelling houses. It was not, however, developed in this manner.
- 7.3. As originally submitted, the application included an extract from the Tusla website, within which 8 pre-school facilities are identified, i.e. 6 in Macroom and 2 nearby. Under further information, the application was expanded to include a map, which shows these facilities and a further 3 such facilities. The applicant's agent also cites two proposals, which he is working on, for new pre-school facilities, one of which would be in Macroom and one of which would be further west in Ballymakeera.
- 7.4. The implication of the aforementioned information is that there is an adequate supply of pre-school facilities in the immediate and wider area of the site and so there is no need to reserve this site for such a facility. The applicant draws attention, too, to the fact that the number of dwelling houses constructed at Lios na Fhea falls below the threshold of 75 in the Childcare Guidelines, whereby such provision becomes the norm.
- 7.5. I note that the Planning Authority has not challenged the applicant's above assessment of childcare provision. I note, too, that, while the appellants have expressed a preference on amenity grounds for such provision on the site, they have not presented a case to the effect that it is needed to make good any shortfall in the same. In these circumstances, I do not consider that there is a demonstrable basis upon which to insist on the site's reservation for a creche/pre-school facility.
- 7.6. Under the CDP, Macroom is identified as a ring town and, under the TDP, the site is denoted as "an area under construction" within a residential area. Accordingly, there is no in principle land use objection to the proposed development of the site for a residential after use.
- 7.7. The appellants contend that, in the light of the number of comparable dwelling houses that are on the market, there is no need for the pair of proposed semi-detached dwelling houses. They also contend that demand for new dwelling houses is greater on the Cork side, rather than the Killarney side, of Macroom. The applicant disagrees and he draws attention to the junction between Millstreet Road and the

proposed by-pass to Macroom to the north of the site, which would ensure its future accessibility.

7.8. I conclude that there is no in principle land use objection to the proposal.

(ii) Amenity

7.9. The appellants critique the proposal on the grounds of visual and residential amenity.

7.10. With respect to the former, they draw attention to the sweep of the spine road and they question the appropriateness of development on the site, which forms part of the undeveloped southern side to the initial portion of this road. They also consider that the view of the proposal from the rear elevations of their dwelling houses at Nos. 12 & 1 Millbrook Close would be unattractive.

7.11. By way of response to the first of these concerns, I note from my discussion of the site history, under the first heading of my assessment, that the site was envisaged as being developed heretofore. The applicant has responded to the second of these concerns by stating that the design of the pair of two storey semi-detached dwelling houses would be similar to the design of such dwelling houses on the existing Lios na Fhea housing estate. Insofar as this design would differ from these dwelling houses, such differences are a response to the proximity of the appellants residential properties to the SSE and the opportunity presented by the presence of open space on either side of the site. Thus, for example, window openings are specified for the exposed side elevations in a bid to minimise the need for such openings in the rear elevations. These differences have increased at the further information and appeal stages as the applicant has sought to respond further to the said proximity.

7.12. With respect to the latter, they draw attention to the impact of the proposal upon their lighting and privacy. As originally submitted, the proposed dwelling houses would have been sited centrally and their rear elevations would have faced virtually due south. The rear elevations of the appellants' dwelling houses at Nos. 12 & 1 face north west and so the correspondence between the proposed and existing elevations, especially at No. 1, would have been strong over distances of 16 – 21m, with the greater portion of the same being over existing rear gardens. As subsequently revised, the proposed dwelling houses would be sited in an offset position towards the western side of the site and their rear elevations would now face due south. While the aforementioned distances would be similar, the strong

correspondence would ease, and first floor windows would be omitted from their rear elevations.

- 7.13. As revised, the proposed dwelling houses would lie to the NW of No. 12, i.e. the exposed side elevation to House A, and to the NNW of No. 1, i.e. the two rear elevations. These two storey dwelling houses would have finished ground floor levels that would be higher than Nos 12 & 1, i.e. Houses A & B would be 88.20m, whereas Nos. 12 & 1 are 88.077m and 87.72m, respectively. Their eaves height of 92.20m would compare favourably to the eaves height of No.1, which is 92.787m, and it would result from first floors which would extend upwards into their roofspaces above. Thus, as revised the strength of the correspondence between proposed and existing would ease and the omission of first floor windows in the rear elevation would safeguard neighbour privacy. The orientations of the rear elevations in question would be such that increases in the overshadowing of the appellants' properties would be limited to summer evenings. Existing overshadowing arises from the rear boundary walls to these properties and, in the case of No. 12, an existing single storey extension on the RHS of its rear elevation. Any increase would thus arise in this context and so residential amenity would not be unduly affected.
- 7.14. The aforementioned differences in finished floor levels and the 1.8m height of the rear boundary wall at No. 1 would mean that there would be an opportunity for a line of sight over this wall. Accordingly, a higher treatment on the site side of this boundary should be conditioned, say to 2.4m, which would complement the comparable boundary treatment at No. 12.
- 7.15. The appellants draw attention to the first floor bedroom window in the exposed side elevation to proposed House A. The concern is expressed that overlooking of the rear garden to No. 12 would be afforded. I consider that this would be capable of being eased by setting the window back within its opening so as to maximise the external reveal.
- 7.16. The Planning Authority has conditioned that the proposal be re-specified as a single dwelling house and the appellants have gone further in intimating that only a bungalow would allay their concerns. I consider that either of these options would be a less satisfactory "fit" with the existing housing estate, which is composed of pairs of two storey semi-detached dwelling houses. I also consider that, in the light of my

discussion of visual and residential amenity, such re-specification would be unnecessary.

7.17. I conclude that the proposal would be compatible with the visual and residential amenities of the area.

(iii) Development standards

7.18. The proposed dwelling houses would afford three bedroomed (5 person) accommodation. Each dwelling house would have a floorspace of 119.28 sqm and so it would be in excess of the recommended relevant floorspace in Table 5.1 of the Quality Housing for Sustainable Communities: Best Practice Guidelines, i.e. 92 sqm. The breakdown of this floorspace would likewise accord with these Guidelines.

7.19. The proposed dwelling houses would be served by private open space: in the case of proposed House A, such space would be to the rear and side and it would extend over an area of 118 sqm and, in the case of proposed House B, such space would be to the rear and it would extend over an area of 92 sqm. The said private open space would all have a southerly aspect.

7.20. The appellants have expressed concern over the depth of the rear gardens. The applicant has responded by stating that, in the case of proposed House B, the conventional depth of 11m would be available over the majority of the rear garden in question. The depth of the rear garden to proposed House A would be considerably less than 11m. Nevertheless, as this garden would be supplemented by one to the side and, in the light of the discussion of amenity under the second heading of my assessment, I do not consider that objection to this shallow rear garden would be warranted. Domestic exempted development rights should, however, be removed by condition.

7.21. I conclude that the proposal would afford a satisfactory standard of amenity to future occupiers.

(iv) Traffic, access, and parking

7.22. The proposal would generate additional traffic movements, which would be capable of being accommodated on the existing road network and which would compare favourably with traffic movements that would have been generated by the previously permitted creche/pre-school facility proposed for the site.

7.23. Each of the proposed dwelling houses would have a dedicated access and parking spaces for two cars. The submitted plans show a further three car parking spaces to the west of the site and a note to the effect that the applicant would provide these. A further note refers to his willingness to grass an accompanying area that is presently fenced. The description of the proposal does not refer to these further spaces and so I do not consider that they form part of the current application. The applicant has indicated that the local authority owns the fenced area and so he would liaise with the same in seeking to sow grass seed thereon.

7.24. I conclude that traffic generated by the proposal would be capable of being accommodated on the existing road network and proposed access and on-site car parking arrangements would be satisfactory.

(v) Water

7.25. The proposal would be served by the public water mains and foul and surface water sewerage system. At the appeal stage, manhole clearance and invert levels for the said sewerage system were corrected in the submitted site plan.

7.26. Under the Blarney and Macroom Municipal District Local Area Plan 2017, the site is shown as being at risk of flooding in the Preliminary Flood Risk Assessment contained therein. By contrast, the OPW's flood information website does not indicate that such risk pertains and it advises that, whereas surface water run-off led to flooding to the NE of the Lios na Fhea housing estate in 2008, remedial works have since been undertaken in a bid to avoid any reoccurrence.

7.27. The applicant has submitted a Flood Risk Assessment of the site. This Assessment concludes that under a 1 in 100 year flood event the unnamed stream to the west of the site would not pose a risk of pluvial flooding, due to the sunken channel through which it flows. If this stream were to become blocked at a point further upstream, then any resulting flows through the housing estate would end up in the open space to the west of the site, which is the lowest area of this estate, from where they would flow back into the adjoining stream. The FRA thus concludes that the site is not at risk of flooding.

7.28. I conclude that the site is not the subject of any identified flood risk.

(vi) Appropriate Assessment

- 7.29. The site is a serviced urban one within an existing housing estate, which is not in or near to any Natura 2000 sites. I am not aware of any source/pathway/receptor routes between this site and the Natura 2000 sites, which lie at some considerable remove from it. Accordingly, I consider that it is unlikely that the proposal for this site would have any significant effects upon these sites.
- 7.30. Having regard to the nature and scale of the proposal and the nature of the receiving environment, 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 Cork County Development Plan 2014 – 2020 and the Macroom Town Development Plan 2009 – 2015, it is considered that, subject to conditions, the proposal would in principle be appropriate from a land use perspective. The proposal would be compatible with the visual and residential amenities of the area and it would afford a satisfactory standard of amenity to future occupiers. Traffic generated by the proposal would be capable of being accommodated on the road network and access and car parking arrangements would be satisfactory. Likewise, the proposal would be satisfactorily serviced with respect to water supply and foul and surface water drainage. The site is not the subject of any identified flood risk and 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 4 th day of December 2018
----	--

	<p>and by the further plans and particulars received by An Bord Pleanála on the 6th day of March 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>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The first floor bedroom window in the side elevation to proposed House A shall be installed in a set-back position within its opening so as to maximise the depth of its external reveal.</p> <p>(b) The rear boundary treatment to the rear gardens to proposed Houses A and B shall have a height of 2.4m.</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>Reason: In the interests of residential amenity.</p>
3.	<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.</p> <p>(ii) Details of screen planting, which shall not include cupressocyparis x leylandii.</p> <p>(iii) Hard landscaping works, specifying surfacing materials, and finished levels.</p>

	<p>(b) A timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, 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>Reason: In the interest of residential and visual amenity.</p>
4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Footpaths shall be dished at the proposed site access points in accordance with the requirements of the planning authority.</p> <p>Reason: In the interest of pedestrian safety.</p>
7.	<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. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
8.	<p>The 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</p>

	<p>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.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
9.	<p>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwelling houses without a prior grant of planning permission.</p> <p>Reason: In the interest of residential amenity.</p>
10.	<p>The developer shall pay to the planning authority a financial contribution of €2020 (two thousand and twenty euro) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.</p> <p>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.</p>

Hugh D. Morrison
Planning Inspector

15th May 2019