



An
Bord
Pleanála

Inspector's Report ABP-304213-19

Development	Two-storey extension to medical centre
Location	Castlebar Primary Care Centre, Moneen Road, Moneenbradagh, Castlebar, County Mayo
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	P18/640
Applicant(s)	Abbey Álainn Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third-Party
Appellant(s)	McGrath Industrial Waste Ltd.
Observer(s)	None
Date of Site Inspection	1 st July 2019
Inspector	Colm McLoughlin

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1.0 Site Location and Description

- 1.1.** The appeal site is located off the Moneen Road (R373 regional road) on the east side of Castlebar town in County Mayo. The immediate area is characterised by a mix of residential, commercial and industrial uses.
- 1.2.** The site is triangular in shape and is stated to measure 2.43ha. The front of the site is occupied by a two-storey medical centre, Castlebar Primary Care Centre, which is stated to have opened in 2016, with a stated gross floor area (GFA) of 3,908sq.m. It includes a pharmacy on the southeast corner and various therapy, treatment, consultancy and meeting rooms. The rear half of the site comprises undeveloped ground that is enclosed by temporary steel-wire fencing. Vehicular access to the two car parks serving the facility is available to the south and north side of the primary care building from the internal access road adjoining the eastern boundary of the site. This internal access road also serves a waste transfer facility, a postal distribution centre and a construction compound. Ground levels drop gradually moving north towards an operational quarry facility adjoining the north side of the site.

2.0 Proposed Development

- 2.1.** The proposed development comprises the following:
 - construction of a two-storey extension to the northside of the primary care centre building with a stated GFA of 3,907sq.m and comprising five therapy rooms, seven treatment rooms, 22 no. treatment/consulting rooms, ancillary offices, staff areas, washroom and changing facilities, canteen, meeting room and conference rooms;
 - amendments to the proposed site layout permitted under Mayo County Council (MCC) Ref. P13/125, including the omission of an Alzheimer's care centre facilitating additional parking.
- 2.2.** In addition to the standard contents, the planning application was initially accompanied by an Engineering Services Report and at further information stage a Stage 1 Road Safety Audit (RSA) and a Transport Impact Assessment (TIA) were submitted.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued a notification of a decision to grant permission for the proposed development, subject to 13 conditions of a standard nature.

3.2. Planning Authority Reports

3.2.1. Planning Report

The initial report of the Planning Officer (October 2018) noted the following:

- further information is required regarding the provision of car parking proposed relative to the scale of the development existing, proposed and permitted;
- the original masterplan for the industrial/commercial park was subject of a TIA and a RSA, as was the permitted bring-bank facility under Mayo County Council (MCC) Ref. P18/226. Therefore, given the scale of additional floorspace proposed relative to the existing floor area, a TIA and a RSA are required in order to fully assess this application;
- details of the building link/bridge structure, landscaping and boundary treatments are also required.

The second report of the Planning Officer (February 2019) noted the following:

- the requested details of the building link/bridge structure, landscaping and boundary treatments, as well as the TIA and the RSA submitted are satisfactory;
- clarification is required with regard to the provision of car parking spaces.

The final report of the Planning Officer (March 2019) reflects the decision of the Planning Authority and noted the following:

- a detailed assessment of car parking provision was undertaken and the Planning Authority is satisfied that the overall proposals, in requiring 205 spaces and providing 198 spaces, would be acceptable.

3.2.2. Other Technical Reports

- Road Design Office – no objection;
- Area Engineer – grant permission, subject to conditions;
- Regional Road Design Office – does not raise any issues;
- Director of Community Care – no response on file;
- Town Architect – conditions recommended to be attached should a permission arise.

3.3. Prescribed Bodies

- Transport Infrastructure Ireland (TII) – no response;
- Health Service Executive (Environmental Health Officer) – no objections, subject to conditions.

3.4. Third-Party Submission

- 3.4.1. One submission was received by the Planning Authority during consideration of the application and the issues raised are covered within the grounds of appeal below.

4.0 Planning History

4.1. Appeal Site

- 4.1.1. The following planning applications relate to the appeal site:

- ABP Ref. 302482-18 (MCC Ref. P18/327) – permission granted by the Board in December 2018 for a new entrance/exit with associated adjustments to the boundary treatments, footpaths, landscaping, lighting, signage and all ancillary site works;
- MCC Ref. P13/125 – permission granted in June 2013 for a two-storey medical centre with three retail units (conditioned to relate to the medical centre), an elderly day-care centre, ten independent-living units in a two-storey complex, a 72-bedroom two-storey nursing home and a 20-bedroom two-storey Alzheimer's care centre, car parking and landscaping. The

duration of this permission was extended in March 2018 under MCC Ref. 13/12500 until June 2023;

- MCC Ref. P09/82 – permission granted in October 2009 for phase 1 of a retail, business and technology park, requiring the demolition of two houses to facilitate access off the R373 regional road.

4.2. Surrounding Sites

4.2.1. Reflective of the edge of town commercial / industrial context, there have been numerous recent applications on lands in the immediate vicinity, including the following that are also accessed off the internal access road serving the appeal site:

- MCC Ref. 18/226 – permission granted in January 2019 for a public civic amenity centre to the McGrath industrial waste compound. This facility is under construction on the east side of the internal access road roundabout adjoining the appeal site;
- MCC Ref. 12/455 – permission granted in January 2013 for a waste transfer facility adjacent to the northeast of the site. Revisions to the development were granted in May 2017 under ABP Ref. PL16.246632 (MCC Ref. 16/155);
- MCC Ref. 09/188 – permission granted in May 2009 for a distribution centre, including warehouse and offices, approximately 60m to the east of the appeal site. This is currently occupied and operated by An Post;
- MCC Ref. 09/81 – permission granted in July 2009 for a two-storey crèche building, to the southeast of the appeal site.

5.0 Policy & Context

5.1. Mayo County Development Plan 2014-2020

5.1.1. The policies and objectives of the Mayo County Development Plan 2014-2020 are relevant. Volume 1 of the Plan primarily contains general planning policies and objectives for the County. Section 2 of Volume 1 to the Development Plan outlines the Planning Authority's economic development strategy, the following objectives of which, are considered relevant to this appeal:

- RD-04 - to provide a safe road system throughout the County through Road Safety Schemes and to encourage the promotion of road safety in the County;
- PP-01 - to support and facilitate the provision of public parking facilities at appropriate locations.

5.1.2. Part B of Volume 2 to the Development Plan includes guidance and standards with respect to various development categories. In particular, the following sections are relevant to this appeal:

- Section 8.2 – health care;
- Section 38.1 – vehicular access and permeability;
- Section 38.2 – proposals requiring RSA, TIA and Traffic & Transport Assessments (TTAs);
- Section 39 – parking standards.

5.2. Castlebar & Environs Development Plan 2008-2014 (as extended)

5.2.1. Within the Castlebar & Environs Development Plan 2008-2014, the appeal site has a land-use zoning objective ‘D – Enterprise & Employment’, with an objective ‘to provide for the improvement of retailing, enterprise and industrial employment needs of the town’. Table 15.1 of the Plan outlines that a ‘Medical Centre’ is normally permitted on ‘enterprise and employment’ lands. There are no specific local objectives identified in the Plan for this site. Section 14.12 of the Plan outlines standards for community use facilities and Section 14.13 outlines the standards for car parking relative to specific land-use categories.

5.3. National Guidelines

- 5.3.1. The TII document ‘Traffic and Transport Assessment Guidelines’ (2014) is relevant. The Guidelines include criteria to be used when considering whether or not a development should be subject of a Traffic and Transport Assessment.
- 5.3.2. Volume 5, Section 2 of the ‘Design Manual for Roads & Bridges’ refers to Road Safety Audits and outlines that a development should be audited at design stages, where it would result in a change to the road or roadside layout.

- 5.3.3. The Design Manual for Urban Roads and Streets (DTTaS and DoECLG, 2019) seeks to address street design within urban areas and includes advice relating to RSAs and design team approaches.

5.4. Natural Heritage Designations

- 5.4.1. The nearest designated European site to the appeal site is the River Moy candidate Special Area of Conservation (cSAC) (Site Code: 002298), which is located approximately 5km to the east.

5.5. Environmental Impact Assessment - Preliminary Examination

- 5.5.1. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. One third-party appeal has been submitted on behalf of the adjacent operator of the industrial waste and recycling facility. The issues raised can be summarised as follows:
- the appellants do not object to the principle of the development;
 - on-street parking is not permitted along the internal access road serving the commercial / industrial park;
 - illegal parking occurs along the internal access road and there is a deficiency in parking serving the existing medical centre, which raises traffic safety, as well as health and safety concerns;
 - the parent permission (MCC Ref. P13/125) for the medical centre campus provided for 173 car parking spaces with 158 spaces required based on the

Development Plan standards. A total of 195 spaces were permitted under the subsequent revision application (MCC Ref. P18/327);

- the Planning Authority were initially concerned regarding the loss of existing car parking spaces to facilitate the extended medical centre and they requested details of spaces to be provided relative to Development Plan standards;
- applicable car parking standards are available from Mayo County Development Plan 2014-2020 and not the Castlebar Town & Environs Development Plan 2008-2014, and should be based on staff numbers and the gross floor area of the development;
- the extended medical centre campus would experience a shortfall of 95 car parking spaces plus the additional spaces required per employee/shift, based on the quantum of development and the relevant Development Plan standards;
- other car parking facilities are not available in the immediate area and there is scope to provide the required level of car parking, either via omission of other elements of the medical centre campus, not yet built, or via the inclusion of a multi-storey car park.

6.2. Applicant's Response

6.2.1. The applicant's response to the grounds of appeal can be summarised as follows:

- the appellant is seeking a resolution of car parking issues rather than refusal of planning permission;
- the extended medical centre campus would be provided with sufficient car parking and the proposed development complies with policies and development standards contained in the Castlebar & Environs Development Plan 2008-2014;
- the RSA and the TIA submitted as part of the application clarified that the proposed development would not give rise to any material impacts on the road network;

- inappropriate parking on the internal access road is not solely derived from the existing facility and measures can be implemented to address illegal parking;
- the proposed development may aid in addressing illegal parking through the provision of an alternative access to the facility from the northern side of the building;
- directly applicable car parking standards for a primary care centre are not available and the ratios for car parking calculations put forward in the application and accepted by the Planning Authority are reasonable;
- a maximum of 205 car parking spaces would be required for the medical centre campus, whereas 198 spaces would be provided;
- based on various referenced precedent cases, the Board is entitled to use alternative parking standards where standards are considered excessive or unreasonable;
- based on robust recent surveys undertaken, it is quite clear that there is sufficient car parking currently on site to cater for the existing level of development with an estimated average of 39% to 42% car park vacancy;
- consideration of the existing level of car parking for the operational medical centre, allows for more precise forecasting of the future demand for parking;
- a total of 198 spaces would be provided as part of the proposed development and based on the most appropriate standards this would provide an excess of 60 car parking spaces initially for the medical centre. This excess would subsequently be available to the other elements of the campus when they become operational;
- there would be surplus parking available for other, as yet, not built elements of the medical centre campus, as a result of the proposed development, and there would be scope to share parking based on the variations in peak usage of the proposed facilities on site;
- sufficient merit to provide further car parking or omit elements of the medical centre campus does not arise.

6.3. Planning Authority Response

6.3.1. The Planning Authority did not respond to the grounds of appeal.

6.4. Observations

6.4.1. None received.

7.0 Assessment

7.1. Introduction

7.1.1. I consider the substantive planning issues arising from the grounds of appeal and in the assessment of the application and appeal, relate to the following:

- Design, Scale & Layout;
- Traffic, Access & Parking.

7.2. Design, Scale & Layout

7.2.1. The proposed development would comprise an extension to an existing operational primary care facility and would extend the range of medical services available. The extension would be centrally positioned within the site and would follow the design, layout and scale of the existing building, as originally permitted by the Planning Authority in June 2013 under MCC Ref. P13/125. The proposed extension would connect with the existing two wings of the primary care facility, creating an enclosed courtyard with undercroft vehicular access from the east side. In addition to the primary care centre that is on the southern half of the site, the parent permission (MCC Ref. P13/125) provided for the development of other facilities within a shared campus. On the currently undeveloped northern half of the site, permission was granted for a block of ten independent-living units, a 72-bedroom nursing home and a 20-bedroom Alzheimer's care centre. The Alzheimer's care centre would be omitted from the campus under the subject proposals, and this would be replaced with access roads, car parking and landscaping.

7.2.2. It is stated in the application that all material finishes in the proposed development would match the existing care centre and the proposed development would not

conflict with the 'enterprise and employment' land-use zoning objectives for the site, as identified in the Castlebar & Environs Development Plan 2008-2014. Given the nature of surrounding uses and the existing scale of development on the appeal site, I am satisfied that the design, scale and layout of the proposed development would be appropriate for the area and would not have undue impact on the amenities of the area. Accordingly, I am satisfied that permission should not be withheld for reasons relating to the design, scale and layout of the proposed development.

7.3. Traffic, Access & Parking

The grounds of appeal assert that the proposed development would not provide sufficient car parking for the extended primary care facility and the overall campus based on development standards. It is also asserted in the grounds of appeal that the existing medical care centre is not served by a sufficient quantum of on-site car parking and this has led to extensive illegal car parking along the internal access road serving the appeal site and the commercial business park.

- 7.3.1. In response to the grounds of appeal, the applicant asserts that the proposed development would be adequately served by car parking relative to the Development Plan standards, studies undertaken, including a RSA (Stage 1) and a TIA, and the current pattern of parking demand. According to the applicant, problems relating to illegal parking along the internal access road can be addressed via management measures.
- 7.3.2. The proposed development would result in the primary care centre extending to a GFA of 7,815sq.m, while the remainder of the campus would feature ten independent-living units and a 72-bedroom nursing home. The campus would be served by 198 car parking spaces. The parties to the appeal, including the appellant, the applicant and the Planning Authority, contest the number of consulting and treatment rooms permitted, existing and proposed in the primary care facility. Based on the submitted floor plan drawings (Nos. P-100 & P-200), the extension to the primary care facility would feature 44 consulting and treatment rooms, while the parent permission (MCC Ref. P13/125) is stated to allow 43 consulting rooms in the existing facility.

- 7.3.3. Section 14.13 of the Castlebar & Environs Development Plan 2008-2014 outlines the standards for car parking relative to specific land-use categories. The Development Plan outlines that one car parking space is required for every four bedspaces in a nursing home development and that for small one-bedroom flats, such as those previously permitted within the independent-living units, one car parking space per flat is required. Standards for a medical centre are not listed in the Development Plan. Where a standard is not given for a particular use, the car-parking requirement will be based on the nearest use included in the table. The other uses included in the Development Plan are not directly comparable to a medical centre use. It is also stated in the Development Plan that grouped and dual use parking serving uses with differing peak demands will be encouraged and that large complex developments may be separately assessed with regard to the specific circumstances. Where directly applicable standards are not available within the Castlebar & Environs Development Plan 2008-2014, I am satisfied that it would be appropriate and reasonable to refer to standards within the Mayo County Development Plan 2014-2020. The nearest comparable development type to a medical centre, outlined in Table 12 of Appendix 3 to the Mayo County Development Plan 2014-2020, is 'surgeries' which requires a minimum of three car parking spaces for every consulting room, plus one space per employee/shift.
- 7.3.4. Based on the quantum of development outlined above and the car parking standards for flats and nursing homes in the Castlebar & Environs Development Plan 2008-2014, a total of 28 spaces would be required to serve the independent-living units and nursing home. Based on the overall provision of 87 consulting and treatment rooms in the extended primary care facility and the car parking standards in the Mayo County Development Plan 2014-2020 for 'surgeries' , a minimum of 261 car parking spaces would be required, without factoring in the additional spaces required per employee / shift.
- 7.3.5. I visited the site while the facility was in operation and noted that the building was in extensive use, two vehicles were parked along the internal access road serving the site and the commercial park, and approximately half of the car parking spaces on site were unoccupied. This would suggest that the existing facility, including the 43 consulting rooms, is already well served by the existing 98 car parking spaces and there is nothing to confirm whether or not the parking along the internal access road,

identifiable from photographs in the grounds of appeal, is in fact solely related to the operation of the subject primary care facility. The applicant asserts that a stringent requirement for car parking to meet the quantity standards for surgeries outlined in the County Development Plan would not be reasonable, because of the differences in operation of a surgery and a primary care centre. All treatment and consulting rooms would not be in use simultaneously and the Castlebar & Environs Development Plan recognises that large complex developments may be separately assessed with regard to the specific circumstances. In this regard, to require a minimum of three car parking spaces per treatment or consulting room in an urban facility of this nature would be excessive, particularly in light of the operational dynamics of the existing facility and given the typical contemporary car parking standards requiring one to two spaces per treatment or consulting room, including those listed on page 7 of the applicant's response to the grounds of appeal. Notwithstanding the shortfall in car parking proposed based on stringent application of Development Plan standards, considering the current demand for parking from the operational primary care centre, and the provisions of both the Castlebar & Environs Development Plan 2008-2014 and Mayo County Development Plan 2014-2020, I am satisfied that the 198 car parking spaces proposed to serve the extended facility and campus as a whole would be satisfactory.

- 7.3.6. To facilitate the development, much of the existing car park on the northside of the primary care centre would not be available during the construction phase. Consequently, it would be reasonable to request, via condition, that sufficient car parking to serve the existing facility should be in situ prior to the loss of these spaces and that sufficient car parking is available, prior to the opening of the extended medical centre.
- 7.3.7. The application is silent with regard to the provision of cycle parking and the need to progress towards more sustainable modes of transport, particularly for the staff of the facility. The parent permission (Ref. P13/125) for the campus provided for 87 cycle parking in three locations on site. Approximately 20 spaces proposed fronting the entrance to the primary centre have not been provided. Given the nature, scale and location of the facility it would be reasonable to request via condition the provision of an additional 20 cycle parking facilities on site to serve the extended facility and the implementation of a mobility management plan.

- 7.3.8. A TIA was included with the application at further information stage, addressing the effect of the proposed extension to the primary care centre on the neighbouring road network, in particular the junction of the internal access road and the R373 (Moneen Road). The TIA predicts that the internal access road and Moneen road junction would continue to operate within capacity in 2020 and 2035 with the proposed development fully occupied. The TIA also sets out measures to be implemented along the internal access road, which I note is not in control of the applicant.
- 7.3.9. A RSA (Stage 1) prepared by the applicant's representatives addressing TII standards was submitted with the application at further information stage. The RSA lists eight items in specific locations that should be addressed to improve traffic and road safety. The majority of these items relate to the internal access road, which is not in the control of the applicant, and the capacity for large vehicles to manoeuvre safely in and out of the service area within the internal courtyard. The applicant has outlined in their further information response that heavy-goods vehicles (HGVs) would not deliver to the courtyard service area, as there would be a height restriction of approximately 3.9m at the undercroft passage. There are existing set down areas along the internal access road serving the site. The RSA requests that landscaping within the car park should be low level in proximity to pedestrian crossing points. The layout of the internal access roads within the car park areas would not lend themselves towards excessive traffic speeds and I am satisfied that the details submitted reasonably address the potential for conflicting movement between pedestrians, cyclists and motorists.
- 7.3.10. In conclusion, I am satisfied that due consideration for traffic and pedestrian movements and the free flow of traffic along the internal access road and Moneen Road has been addressed in the design and layout of the proposed development and the proposed parking and service provision would be adequate to serve the development. Accordingly, I am satisfied that with the attachment of conditions, the proposed development should not be refused for reasons relating to traffic and road safety, access arrangements or parking provision.

8.0 Appropriate Assessment

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

9.0 Recommendation

- 9.1. I recommend that permission be granted for the proposed development, subject to conditions and for the reasons and considerations, as set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the existing development on site and the pattern of development in the vicinity, the zoning objectives for the site, as set out in the Castlebar & Environs Development Plan 2008-2014, and to the nature and scale of the proposed development, it is considered that subject to compliance with the conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would be in accordance with the provisions of the Castlebar & Environs Development Plan 2008-2014 and the Mayo County Development Plan 2014-2020. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 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 22nd day of January, 2019, and the 28th day of February, 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the

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. The development shall be carried out and completed in accordance with the terms and conditions attached to the permission granted on the 21st day of June, 2013, under planning register reference number P13/125, as extended by P13/12500 on the 15th day of March, 2018, and as revised under ABP Ref. 302482-18 (register reference number MCC Ref. P18/327) on the 21st day of December, 2018, except as amended to comply with the provisions indicated in the plans and particulars lodged in connection with this application and with the following condition.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. (a) The development shall be carried out on a phased basis. The first phase shall consist of the completion of all car park spaces to serve the primary care centre, together with their associated site development works. Prior to commencement of any development on the overall site, details of the first phase shall be submitted to, and agreed in writing with, the planning authority.

(b) Work on any subsequent phases, including the loss of the existing car park to the north of the primary care centre building, shall not commence until such time as the written agreement of the planning authority is given to commence the next phase. Details of further phases shall be as agreed in writing with the planning authority.

Reason: To ensure that adequate parking spaces are permanently available to serve the existing and extended primary care centre facility and also to prevent inappropriate parking along the access roads.

4. 20 no. additional bicycle parking spaces shall be provided within the site, resulting in a total of 107 no. spaces to serve the entire campus. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

5. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

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

Reason: In the interest of visual amenity.

7. Water supply and drainage arrangements, including the disposal of surface water and provision of fuel interceptor(s), shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health.

8. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. The agreed lighting system shall be fully implemented and operational, before occupation of the extension to the primary care centre.

Reason: In the interest of public safety and visual amenity.

9. Prior to commencement of development, a detailed Construction Management Plan, including a Construction Traffic Management Plan, shall be submitted to, and agreed in writing with, the planning authority. This shall include details of monitoring and reporting in accordance with the requirements of the planning authority.

Reason: In the interest of environmental protection, to protect the amenities of neighbouring properties and in the interest of traffic safety.

10. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the [residential] amenities of property in the vicinity.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the

Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

Colm McLoughlin
Planning Inspector

1st August 2019