



An
Bord
Pleanála

Inspector's Report ABP-304472-19

Development	Conversion and change of use of first floor to 17 apartments and development from basement to roof level of the premises.
Location	Townparks (2nd Division) (Lár an Cathrach), Tuam, Co Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	19254
Applicant(s)	JFC Manufacturing Company Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	JFC Manufacturing Company Ltd
Observer(s)	<ol style="list-style-type: none">1. Ray Collins, Manager -Tuam Shopping Centre.2. Michael Mannion, Sherry Fitzgerald Mannion.3. Irish Water

Date of Site Inspection

18th July 2019

Inspector

Irené McCormack

2.0 Site Location and Description

- 2.1. The appeal site is a development known as Lár na Cathrach, Abbey Trinity in Tuam town centre. It is bounded by Tuam shopping centre to the west and other mixed-use developments are located in the general vicinity including restaurants, cafes and apartments.
- 2.2. The development has façades facing onto both Temple Jarlath Court and Trinity Court and is four storeys over basement fronting both streets. The building currently comprises parking at basement floor level, mix of commercial and vacant units at ground level, vacant commercial units at first floor level and apartments on the floors above, with a roof garden courtyard at second floor level. Access to the first, second and third floors is via a pedestrian entrance from Temple Jarlath Court and Chapel Lane to the east of the site. The floors are accessed via a lift as well as via a stairwell. Vehicular access to the basement is from Chapel Lane.

3.0 Proposed Development

- 3.1. It is proposed to convert and change the use of the vacant commercial units at first level to 17 apartments and provide a new lift from basement to roof level of the premises. The development will comprise of 12 one-bedroom apartments and 5 two-bedroom apartments. The works will be generally internal works only but will include the replacement and alterations of first floor windows to match the existing window openings and to provide for suitable openings to accommodate residential use.
- 3.2. The average one-bedroom apartment will measure 61sqm in area, while the two-bedroom apartments range from 67.5sqm to 93.9sqm in area accommodating three- and four-persons occupancy. Each unit comprises a separated bedroom/s, kitchen/dining room and bathroom as well as internal storage and a separate lockable storage unit at first floor level. No private open space has been provided for the individual apartments with the exception of apartment no. 3.
- 3.3. It is proposed to avail of the existing car parking and bicycle parking at basement level.

4.0 Planning Authority Decision

4.1. Decision

4.1.1. Galway County Council issued notification to refuse planning permission for the following reasons:

1. Having regard to:

(a) The absence of any private open space for 16 of the 17 proposed residential units;

(b) The absence of satisfactory storage areas for a number of units; and

(c) The lack of clarity regarding the satisfactory provision of car parking for the proposed residential units;

It is considered that if permitted as proposed, the development would provide for a standard level of residential amenity contrary to the Section 28 Ministerial Guidelines Sustainable Urban Housing; Design Standards for New Apartments Guidelines for Planning Authorities, and would provide for a deficiency in car parking which would endanger public safety by reason of traffic hazard, obstruction of road users or otherwise and would be contrary to the proper planning and sustainable development of the area.

2. In the absence of a design statement from Irish Water, it has not been demonstrated to the satisfaction of the Planning Authority that the public water mains and public sewer infrastructure has the capacity to cater for the additional loading and additional water supply needs arising from the proposed development. Therefore, if permitted in the absence of this information, the development would be prejudicial to public health and would be contrary to the principle of proper planning and sustainable development of the area.

4.2. Planning Authority Reports

4.2.1. Planning Reports

The Planner's Report is the basis for the Planning Authority's decision. In summary, it includes:

- Notes the planning history within 100m of the site.
- Notes that the site is not within a flood risk area.
- The site is 1.8km from Lough Corrib SAC. Considers further information is required in relation to wastewater disposal on order to complete AA screening of the proposed development.
- In relation to car parking provision, 17 apartments would generate a car parking requirement of 25.5 carpark spaces. The existing 20 apartments generate 30 spaces. Concern is expressed regarding the breakdown of car parking having regard to established commercial and residential uses on site.
- It is noted that no design statement from Irish Water has been received regarding effluent treatment and water supply.
- Site is zoned 'C1 – Town Centre/Commercial'. Apartment use is permitted in principle within this zoning.
- Notes that there is no provision made for private open space with the exception of one apartment and that public open space is also limited. It is also set out that units 15,16 and 17 are deficient in storage and units 4-14 are deficient in minimum bedroom widths in accordance with the Guidelines for New Apartments, 2018.
- Notes that Part V does not apply to this development because the application is for a change of use and extension to an existing building where at least 50% of the existing structure is being retained.
- Notes a designated bin storage area is provided in the basement.
- The site is located within the Tuam ACA and zone of archaeological potential. Noting that the changes are minimal no concerns were raised.
- Recommends permission is refused on the basis of lack of any private open space for 16 units and ambiguity in relation to car parking provision.

The decision was in accordance with the Planner's recommendations.

4.2.2. Other Technical Reports

Area Office: Report dated 19th April 2019 notes that public lighting is required on the northern side of the building.

Roads Department: Report dated 4th April 2019 recommends that further Information should be sought with respect to the applicant complying with DM Standard 22: Parking Standards and demonstrate how existing parking facilities are to be managed.

TII: Report dated 8th March 2019 – No observations.

4.3. **Third Party Observations**

None

5.0 **Planning History**

Site

GCC 02/4753 - Permission granted in 2003 for a four-storey development (over basement) carpark, including retail/Coffee Shop, use at ground and 1st floor with residential use at 2nd and 3rd Floor including demolition of existing supermarket and associated works.

GCC 19/56 - Permission refused in 2019 for the change of use of ground floor commercial unit to residential unit.

Surrounding

GCC 18/968 – Permission granted in 2018 for the change of use of ground floor commercial unit to residential unit.

GCC 17/1789 – Permission granted in 2018 for the change of use of ground floor office unit to residential unit.

GCC 17/340 – Permission granted in 2017 for the change of use of ground floor office unit to residential unit.

GCC 16/1312 – Permission granted in 2016 for the change of use of 2 No. ground floor office units to 2 No. residential units.

All of the above planning applications are located to the immediate south of the site.

6.0 Policy Context

6.1. Development Plan

Tuam Local Area Plan 2018 – 2024

Chapter 2 of the Plan refers to the overall strategy for the town. Chapter 3 refers to development policies, objectives and guidelines. Map 2 is the Land Use Zoning Map for the town centre. The site is identified as C1 – Town Centre/Commercial.

Section 3.1.2 Land Use Management Policies

Objective LU 1 – Town Centre/Commercial (C1) Promote the development of the Town Centre as an intensive, well connected, high quality, well-landscaped, human - scaled and accessible environment, with an appropriate mix of uses, including residential, commercial, service, tourism, enterprise, public and community uses as appropriate, that provide a range of retail, services, facilities and amenities to the local community and visitors. The town centre and associated main streets shall remain the primary focus for retail and service activity within Tuam.

Section 3.2.2 Policies and Objectives

Policy RD 1 – Residential Development It is the policy of Galway County Council to support the creation of sustainable communities and high quality, well connected and accessible residential areas at appropriate locations, with a range of housing options and adequate support services, facilities and amenities, having regard to the guidance contained in the following policy/guidance documents or any updated/amended versions:

- Galway County Council's Housing Strategy
- Sustainable Residential Developments in Urban Areas: Guidelines for Planning Authorities, 2009.
- Urban Design Manual: A Best Practice Guide – A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009.
- Design Manual for Urban Roads & Streets (DMURS) 2013
- Galway County Council's Traveller Accommodation Programme.

- Smarter Travel-A Sustainable Transport Future - A New Transport Policy for Ireland 2009-2020 including the National Cycle Policy Framework 2009-2022 and any other related national documents.
- Water Framework Directive and the Planning System and Flood Risk Management, Guidelines for Planning Authorities 2009.

Objective RD 5– Apartment Development

Facilitate the development of apartments at appropriate locations, such as in the town centre, and have regard to the Draft Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018 (or as updated), the Sustainable Residential Developments in Urban Areas: Guidelines for Planning Authorities (2009) and Urban Design Manual: A Best Practice Guide – A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) in the assessment of this type of development.

6.1.1. Galway County Development Plan 2015-2021

Section 3.4 Locations Appropriate for New Residential Development in Urban Areas

3.4.1 Town Centre and Brownfield Sites states - Large towns often contain central sites of strategic importance, some of which may be brownfield in nature. These sites have the greatest potential for the creation of sustainable patterns of development. They can also assist in regeneration, make more intensive use of existing infrastructure, support local services and employment, encourage affordable housing provision and sustain alternative modes of travel such as walking, cycling and public transport.

Car parking

Policy DM Standard 22: Parking Standards - Standard Dwellings/Apartments (1-3 bedrooms) 1.5 Spaces per Dwelling.

Bicycle Parking Standards- In compliance with Smarter Travel Policies, secure cycle parking facilities shall be provided in new office, residential, retail and employment generating development.

National Policy and Guidelines

6.1.2. Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018

Section 2.22 of the Guidelines states: In addition, Development Plans should provide for flexibility in respect of dwelling mix in small-scale building refurbishment and urban infill development schemes:

Specific Planning Policy Requirement 2:

- For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

- Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;

- Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential unit to the 49th.

Minimum floor area requirements are set out in section 3.1

Lifts and stair cores are addressed in Section 3.

Specific Planning Policy Requirement 6 states:

A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality and compliance with building regulations.

Refuse Storage is addressed in section 4. Section 4.8 states: 'Provision shall be made for the storage and collection of waste materials in apartment schemes.

Refuse facilities shall be accessible to each apartment stair/lift core and designed with regard to the projected level of waste generation and types and quantities of receptacles required.'

Section 4.18 refers to car parking. It states: 'The quantum of car parking or the requirement for any such provision for apartment developments will vary, having

regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria'

Section 6.9 states Planning authorities are also requested to practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and 'over the shop' type or other existing building conversion projects, where property owners must work with existing building fabric and dimensions. Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements.

6.1.3. The Quality Housing for Sustainable Communities guidance published by the Department in 2007.

6.1.4. National Planning Framework – Encourages increased densities in urban areas subject to appropriate design.

National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

6.2. **Natural Heritage Designations**

6.2.1. Lough Corrib SAC (Site Code 000297) is located 1.8km west of the site.

6.3. **EIA Screening**

On the issue of Environmental Impact Assessment screening I note that the relevant classes for consideration are class 10(b)(i) "Construction of more than 500 dwelling units" and 10(b)(iv) "Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere". Having regard to the size of the development site (.186ha) and scale of the development it is sub threshold and the proposal does not require mandatory Environmental Impact Assessment. Having

regard to the nature and scale of the proposed development, the brownfield nature of the receiving environment, and to the nature, extent, characteristics and likely duration of potential impacts, I conclude that the proposed development is not likely to have significant effects on the environment and that the submission of an Environmental Impact Statement is not required. The need for environmental impact assessment can, therefore, be excluded at preliminary examination. An EIA - Preliminary Examination form has been completed and a screening determination is not required

7.0 The Appeal

7.1. Grounds of Appeal

The applicant's grounds of appeal can be summarised as follows:

- The floor space which is the subject of the appeal has been vacant for the entirety of the fifteen-year period since the construction of the development.
- There is no indication of demand for retail use at first floor level in Tuam.
- There is a significant shortage of housing nationally, and in Tuam, in particular in relation to smaller units.
- It is set out that the refusal of permission is heavily based on a purported lack of information, rather than any matter of particular substance.
- It is set out that the subject site has 62 no. basement parking spaces and the proposed residential use has a substantially lesser car parking requirement than the existing permitted use. The proposed apartments require 1.5 no. spaces per dwelling, or a total of 25.5 spaces, a reduction of the existing 'loading' of at least 37 no. spaces.
- It is noted that the pre-existing development prior to the parent permission appears to have been 'credited' with a shortfall of car parking having regard to public and paid parking in the immediate vicinity of the site.
- It is acknowledged that limited external private open space is provide and in some cases there is a shortfall in storage provision but the provision of same

is severely constrained by the limitations of designing a layout within an existing structure.

- It is set out that the planning authority have not given sufficient weight to the clear intention of the Apartment Guidelines (2018) to be treated as targets in refurbishment/conversion projects. The Guidelines for New Apartments, 2018, which states that Planning Authorities are requested to practically and flexibly apply the general requirements in relation to refurbishment schemes.
- It is set out that the schemes offer a number of compensatory elements to offset the absence of private open space; - the floor areas of the apartments are considerably in excess of the requirements , a communal drying room has been provided and the communal/public open space exceeds the Guideline targets. It is set out that the applicant would be amenable to the provision of 'Juliette 'balconies should the Board deem this approach beneficial.
- It is set out that the failure off Irish Water to submit documents showing capacity for water and waste water to service the development is not a valid reason for refusal. In any event the existing premise has the benefits of existing physical connections. Connection agreements are required however, this is an external matter and not for the planning process.
- It is set out that the development is consistent with national policy and would deliver a high quality of residential amenity and should be permitted.

7.2. Planning Authority Response

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

7.3. Observations

Three observations were received.

1. Ray Collins, Manager -Tuam Shopping Centre, Abbey Trinity Management Services DAC, Arthurs Quay House, Arthurs Quay, Limerick. A summary of the observations raised are outlined below:

- It is set out that Tuam Shopping Centre has 15 apartments that are fully occupied and that their residents form a very important part of the customer base and that of local restaurants etc.
- There is a demand for residential property of this type in Tuam.
- The shopping centre has a total car parking capacity of 392 spaces which caters for shopping, leisure and residential parking needs.

2. Michael Mannion, Sherry Fitzgerald Mannion, High Street, Tuam, Co. Galway. A summary of the observations raised are outlined below:

- Sherry Fitzgerald is contacted on a daily basis by employment agencies aboard, local employers and individuals seeking accommodation in the area.
- Increased demand for accommodation is putting upwards pressure on rents and creating a situation where young families are failing to find accommodation.

3. Irish Water, Colvill House, Talbot Street, Dublin 1. A summary of the observations raised are outlined below:

- The letter notes the pre-connection enquiry submission by the applicant.
- It is set out that it is proposed to connect via the existing River Crest housing estate which ultimately connects to the Irish Water networks.
- The letter sets out that it is the responsibility of the applicant to confirm that the infrastructure has capacity and has been sufficiently constructed to convey the requisite volumes of water and wastewater.
- A design proposal for the water and/or wastewater infrastructure should be submitted to Irish Water for assessment.

8.0 **Assessment**

8.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development

- Residential Amenities -Public and Private Open Space and Storage
- Car Parking
- Connection of Services
- Appropriate Assessment

8.2. Principle of Development.

- 8.2.1. This application proposes the conversion of vacant commercial units at first level to 17 apartments, 12 no. one-bedroom and 5 no. two bedroom apartments. There are 20 apartments already in existence within the development on upper floor levels.
- 8.2.2. The total number of apartments will rise to 37. 19 of the existing apartments are two-bedroom units with only one one-bedroom unit. Therefore, I am satisfied that 12 no. one-bedroom and 5 no. two bedroom apartments offer an acceptable mix of apartment types in accordance with the Design Standards for New Apartments, Guidelines 2018.
- 8.2.3. All of the 1-bedroom (2- persons) apartments are in excess of 60sq.m which is over the minimum floor area of 45sq.m required. The 2-bedroom (3/4 persons) apartment range from 70.7sqm to 84.5sqm in area. Specific Planning Policy Requirement 3 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018) set the minimum floor area required for a 2-bedroom apartment (4 persons) at 73sqm. The Quality Housing for Sustainable Communities guidance published by the Department in 2007 make provision for a two-bedroom apartment to accommodate 3 persons with a minimum gross floor area of 63sqm. I am satisfied that the development is compliant with relevant minimum gross floor area requirements.
- 8.2.4. The area is zoned C1 – Town Centre/Commercial and residential use is permitted in principle.
- 8.2.5. I am satisfied that the principle of converting vacant commercial units at first floor level to 17 apartments is acceptable in this location.

8.3. Residential Amenities

- 8.3.1. The planning authority recommended refusal based on the absence of private open space for 16 of the 17 proposed residential units and the absence of satisfactory

storage areas for a number of units. In this regard, I note Section 6.9 of the Apartment Guidelines (2018) states that planning authorities are requested to “practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes..... Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements”.

- 8.3.2. In relation lack of private open space within the development, I note that the proposed apartments are over and above the minimum floor area requirements and section 3.39 of the Apartment Guidelines (2018) states that for “building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, private amenity space requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality”. I also note there is an existing communal roof garden/amenity space located at second floor level. This is a semi private landscaped area accessible to all residents of the complex. I am satisfied on the basis of the overall floor area of the individual apartments, the availability of a communal open space within the development and having regard to the nature of the development as a refurbishment project within the town centre, that the lack of private open space in this instance is acceptable.
- 8.3.3. The appellant has suggested that Juliet balconies be provided for each apartment should the Board deem it appropriate. I do not consider the addition of Juliet balconies will add any amenity value to the apartment.
- 8.3.4. With respect to provision of storage on site, I note each apartment has been provided with storage in the entrance hall of each apartment. In addition, all apartments have been allocated additional dedicated storage at two central locations on the first floor. The Apartment Guidelines (2018) state that provision should be made for general storage and utility and minimum requirements for storage areas are set out in Appendix 1 of the Guidelines and range from a minimum of 3sqm for a one-bedroom apartments to 6sqm for the two-bedroom (4 persons) apartments. With the exception of units no. 16 and 17 a minimum of 3 sqm has been provided for all units. The guidelines established that these storage areas are intended to accommodate household utility functions such as clothes washing and the storage of bulky personal or household items. In this regard the development also includes the

provision of a substantial communal drying/airing room at first floor level. Therefore, on balance, I consider the development provides for an acceptable level of storage, in addition to a separate drying/airing room.

- 8.3.5. A central communal bin store is located a basement level. It is proposed to install a second lift from the basement to access the upper floors.
- 8.3.6. I am satisfied that the proposed development is acceptable, and in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018) for converting existing structures into residential use, and in accordance with Policy Objective 11 of the National Planning Framework which states that in meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

8.4. Car Parking

- 8.4.1. The planning authority are concerned with the lack of clarity regarding the satisfactory provision of car parking for the proposed residential units. The appellants state that the subject site has 62 no. basement parking spaces and the proposed residential use has a substantially lesser car parking requirement than the existing permitted commercial use. The proposed apartments require 1.5 no. spaces per dwelling in accordance with Policy DM Standard 22: Parking Standards of the Galway County Development Plan. This equates to a total of 25.5spaces, a reduction of 37 spaces of the existing 'loading'.
- 8.4.2. Further to the above, I note policy DM Standard 22 states that for change of use or for replacement buildings within towns and villages, an allowance will be given for former site use in calculating the car parking requirements generated by the new development. In relation to infill sites and sites adjacent to public transport corridors or civic parking facility, a flexible application of standards will be considered. Section 4.18 of the Design Standards for New Apartments, Guidelines 2018, states the requirement for car parking will vary depending on location etc and in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances.

8.4.3. I am satisfied the adequate car parking is available to accommodate the development. The remainder of the spaces will adequately accommodate the existing 20 apartments and commercial unit's at ground floor level. I note also the availability of public car parking in the vicinity of the site and the adjacent shopping centre.

8.5. Connection of Services

8.5.1. The planning authority recommended refusal on the basis that the appellant has not demonstrated that the public water mains and public sewer infrastructure has the capacity to cater for the additional loading and additional water supply needs arising from the proposed development and in the absence of a design statement from Irish Water.

8.5.2. The appellants argue that the failure off Irish Water to submit documents showing capacity for water and waste water to service the development is not a valid reason for refusal. It is also stated that the existing premises has the benefit of existing physical connections.

8.5.3. Further to the above, I note a submission from Irish Water to the Board on 12th July 2019. The letter does not raise any objection to the proposed connection to the Irish Water network. The submission notes the pre-connection enquiry submission made by the appellant and sets out that it is the responsibility of the appellant to confirm that the infrastructure has capacity and has been sufficiently constructed to convey the requisite volumes of water and wastewater. A design statement is required to be agreed with Irish Water.

8.5.4. In this regard I note that this application is for change of use with pre-existing connections to services. Furthermore, it would appear that connection to the public water and public sewer can be accommodated on site subject to agreement with Irish Water.

8.6. Appropriate Assessment

8.6.1. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban 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 should be granted for the proposed development subject to conditions.

10.0 Reasons and Considerations

Having regard to the C1 – Town Centre/Commercial zoning in the Tuam Local Area Plan 2018-2024 and compliance with the development standards as set out in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018, it is considered that the proposed development, subject to compliance with the conditions below, would not detract from the character of the area and would not seriously injure the residential or visual amenities of the area. 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, 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. A plan containing details for the management and maintenance of the communal open space within the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

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

Reason: To ensure adequate servicing of the development, and to prevent pollution.

4. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclables within dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment

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

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

6. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for parking during the construction phase and the location for storage of deliveries to the site.

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

7. 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. 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 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

Irené McCormack
Planning Inspector

19th August 2019