



An
Bord
Pleanála

Inspector's Report

ABP-304688-19

Development	2 no. storey and a half semi-detached houses. *Significant Further Information Received on 09/05/2019, development will now consist of one house only*.
Location	Termonfeckin Road, Drogheda, Co Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	18757
Applicant(s)	Lorrac Developments Ltd
Type of Application	Permission
Planning Authority Decision	
Type of Appeal	Third Party
Appellant(s)	The Residents of Beaulieu View
Observer(s)	None
Date of Site Inspection	19 th of September 2019
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The subject site is located to the west of the Termonfeckin Road (R166) c.2kms north east of Drogheda town centre. It lies to the west of the existing An Rian housing estate which, backs onto the adjoining Beaulieu view estate. Termon Abbey Road is to the north. It is proposed that access be from the cul-de-sac hammerhead in Beaulieu View.
- 1.2. The site is irregular in shape and is 0.073ha in area. It is currently cordoned off and appears as a prospective building site rather than open space at the end of the cul-de-sac. There are single storey red brick bungalows on either side in Beaulieu View. There is an overgrown undeveloped green area to the north west of the site.
- 1.3. It is noted that there have been 5/6 blocks of housing already constructed within the An Rian housing estate which has separate access to the Termonfeckin Road. One first floor landing window faces the site from the adjoining property in An Rian to the east faces the site. These comprise 1.5 storey mansard detached properties to the east of the site. There is a 1.8m brick wall along the eastern boundary.

2.0 Proposed Development

- 2.1. As originally submitted this proposal was for the construction of 2no. storey and a half semi-detached dwelling units and all associated site development works.
- 2.2. A Site Location Map, Site Layout Plan, Floor Plans, Sections and Elevations were submitted showing this. Drawings also showed the line of the existing public foul and surface water drains running through the site and proximate to the proposed semi detached pair.
- 2.3. Revised Public Notices and drawings relative to Significant further information showing one single storey house on the subject site have been submitted on the 9th of May 2019.

3.0 Planning Authority Decision

3.1. Decision

Louth County Council granted permission on the 31st of May 2019, for one dwelling unit only (Significant Further Information submitted on the 9th of May 2019 refers). Permission was granted subject to 9no. conditions. These include regard to Infrastructure, Construction works and Development Contributions. Having regard to design and layout:

Condition no. 2 provides that the subject permission is for 1 no. residential unit only.

Condition no.3 refers to external finishes.

Condition no.4 refers to boundary treatment.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner had regard to the locational context of the site, planning history and policy and to the inter departmental reports and the submissions made. Their assessment included the following:

- The lands have not been zoned public open space and housing is an acceptable use.
- The principle of the development is supported as an infill/brownfield site.
- They note that the layout is somewhat restricted as there is an existing foul sewer wayleave passing through the site.
- They do not consider that the proposed design will impact adversely on adjoining properties, although they recommend some reorientation to reduce overlooking.
- They conclude that a Stage 2 NIS is not required.
- The subject site is not located within an area prone to flooding.
- They note that on-site parking is available.

Further Information request

This included the following relative to the application for the s/d pair:

- Details of boundary treatment and private amenity space.
- Reorientation of proposed s/d pair so that the potential for overlooking of adjoining property from the rear window in House B is minimised or reduced further.
- Details of bin storage.
- Details of the precise location of the foul sewer line routed through the subject site. Revised drawings showing a 10m wide centred wayleave within the site boundaries. No part of the structure shall encroach into the way leave area.
- Revised Public Notices.

Further Information response

- Revised Public Notices and drawings have been submitted as Significant F.I relative to the construction of one house on the 9th of May 2019.
- A letter from Brady Hughes Consulting has been submitted providing a rationale – it is now proposed to construct one bungalow on site.
- This reduces impact on adjoining properties and allows for set back for wayleave access.
- The revised Site Layout Plan provided shows the proposed boundary treatment on site.
- The revised house type is considered acceptable and will not have an adverse impact on neighbouring properties.
- They provide details of private open space for this dwelling.
- They note the precise location of the foul sewer on site and provide that a 10m wayleave is available over the majority of the foul sewer located within the site boundary.
- Revised Public Notices have been submitted.

Planner's Response

They had regard to the F.I submitted and their response included the following:

- The revised proposal for one bungalow has been designed to protect the privacy of the existing closest dwelling.
- Private amenity and bin storage areas are acceptable.
- A 10m wayleave is available over the majority of the foul sewer located within the site boundary.
- They concluded that the subject development complies with the F.I request and will not adversely impact upon the amenities of adjoining residential properties. They recommended that permission be granted subject to conditions.

3.3. Other Technical Reports

Infrastructure Section

They recommend that permission be granted subject to a number of conditions.

3.4. Prescribed Bodies

Irish Water

Louth County Council/Irish Water records indicate the location of an existing 225mm diameter foul sewer routed through the site. They requested that the exact location be verified and inspected by the Local Authority and recommend revised drawings to show that no permanent structure encroaches into the wayleave area. Subsequent to the revisions shown in the F.I submission they had no objection subject to conditions.

3.5. Third Party Observations

A Submission has been received from the Beaulieu View Resident's Association and another local resident and these are noted. As the Resident's Association are the subsequent Third Party, the issues raised are considered further in the context of the grounds of appeal below.

3.6. Planning History

The following permissions are referred to in the documentation submitted:

- 05/325 – Permission granted subject to conditions for the construction of 24no. town houses at Termonfeckin Road, Drogheda. This was granted on subsequent appeal to the Board Ref. PL4.218738 refers. Condition no.3 refers to open space.
- 10/115 (10/510115) – Permission granted subject to conditions by Louth County Council for the construction of 17no. dwelling units together with landscaping, vehicular access, car parking and all associated site development works.
- 15/575 – Permission granted for Extension of Duration of ref. 10/115 for permission to construct 17 houses and all associated site development works. Condition no. 2 allowed for an extension of this permission until 28th of March 2021.
- 90/70 – Permission granted subject to conditions for the Beaulieu View Development.

Copies of these permissions are included in the Appendix.

4.0 Policy Context

4.1. Louth County Development Plan 2015-2021

- 4.1.1. This Plan provides the strategic planning policies and objectives for the County. Section 2.16.4 notes that the Statutory Plan for Drogheda and the surrounding area is currently the Drogheda Borough Council Development Plan 2011-2017 which is still in place and Policy SS4 seeks: *To review the Drogheda Borough Council Development Plan 2011-2017 and to prepare a Local Area Plan for Drogheda and Environs which will be consistent with the provisions of the County Plan.*
- 4.1.2. In addition to the County Development Plan, I have reviewed the *Drogheda Borough Council Development Plan 2011-2017* as this provides the most recent zoning framework for the area.

4.2. **Drogheda Borough Council Development Plan 2011-2017**

Chapter 6 refers to Housing and Community Facilities. This has regard to Sustainable Residential Development, to the suitability of residentially zoned land for housing and housing mix. Table 6.1 provides the Design Principles for Sustainable Communities. Policy HC 8 refers to implementing the guidelines and best practice manuals issued by the DoEHLG. Section 6.6 provides Design Guidelines. Section 6.6.8 is generally supportive of appropriately designed sustainable Infill/Backland Development. Reference is also had to Open Space.

Section 6.7 provides Residential Development Standards.

Table 6.2 provides the Residential Density Targets for Drogheda Borough (Dwellings per ha). Section 6.7.3 and Table 6.3 relate to Private Amenity Space considerations. For a three bedroomed house (Greenfield Suburban this is 80sq.m) and Policy HC 18 relates.

Policy HC 19 and Section 6.7.4 refers to Public Open Space requirements. Section 6.7.5 and Table 6.6 provide the Residential Car Parking Standards which are 2 per dwelling.

Variation no.1 relates to the Core Strategy.

4.3. **Natural Heritage Designations**

The site is not in a Natura 2000 site and the nearest such sites Boyne Estuary SPA and SAC are c.0.8kms away.

4.4. **EIA Screening**

- 4.4.1. Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity/ 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.

5.0 The Appeal

5.1. Grounds of Appeal

John Dineen Consultant Engineer has submitted a Third Party Appeal on behalf of the residents of Beaulieu View. They note that while the revised plans are for a single storey house and will reduce traffic relative to the semi-detached pair originally proposed residential on this site. However, it remains undesirable to the residents and does not address the concerns which were expressed to the PA at objection stage. Their grounds of appeal include the following:

- The location of the proposed bungalow is on the public open space originally granted as part of the Beaulieu View Development. They note that they had maintained this area and planted trees thereon.
- A small area of open space remains close to the entrance but this is dangerous as it abuts the heavily trafficked Termonfechin Road.
- It is an objective of the DP that open space (10-15% of site area) remains as open space in perpetuity.
- Residents bought their houses believing that there would be no other houses having access through their cul de sac.
- The Developer who is currently constructing houses in the immediate vicinity of the proposed site should have provided access to the house from his current development.
- The turning area will be used for parking and will become restricted.
- Issues relative to inaccuracies in the information displayed on the Public Notices.
- The proposed development would be contrary to the 2005 application which was appealed to the Board resulting in the reduction in the no. of housing units. The developer is now seeking to increase the no. of units.
- The proposed house is totally out of character with the houses built in the Beaulieu View estate. The current proposal would militate against their privacy. The Residents ask the Board to refuse this application.

5.2. Applicant Response

Brady Hughes Consulting response to the grounds of appeal on behalf of the Applicants includes the following:

- They provide an overview of the application, noting the original design and layout for 2no. houses and the existence of piped public services on the site resulting in the significant further information redesign for one bungalow.
- The redesigned development proposal reduces the impact on neighbouring properties and resulted in a site layout that could provide the necessary wayleaves to both Irish Water and Louth County Council.
- They note the site is located on what was to be a distributor road but that this location has subsequently changed and they provide details of this.
- The 'open space' at the end of the hammer head would have provided a buffer to this heavily trafficked road.
- There is no policy relating to maintaining 10-15% open space in perpetuity.
- The proposal developing this brownfill site will not devalue adjoining properties.
- It is fully intended that the house will become part of Beaulieu View.
- They include an image showing the design of the proposed house relative to the design of adjacent properties.
- The Residents were satisfied that the access to the subject site was cut off in the 2010 permission, with the only access being via the cul de sac in Beaulieu View.
- They do not consider the address given on their public notices to be misleading.
- The current application if successful will result in a total of 18 houses being provided on a site previously referred to in 05/325.
- The subject application is the optimum one for Beaulieu View with no pedestrian access/linkages to the An Rian Development.

- The proposed development will allow for privacy and complete the Beaulieu View development at the end of the cul de sac.
- The permission granted by the Board in 2005 was not enacted and has expired – the estate was completed under 10/115.
- The current application should be accessed on its merits as an infill site at the end of Beaulieu View. They ask that permission be granted.

5.3. **Planning Authority Response**

Louth County Council's response to the Third Party grounds of Appeal includes the following:

- The proposal complies with planning policy and objectives.
- They have regard to/checked the planning history and note that this land was never identified as public open space (copies of the Site Layout Plans for these applications are included).
- They note that the Appellant redesigned the original proposal as a result of the Council's F.I request.
- They consider that this proposal for a single storey bungalow on this site, will be seen as an appropriate infill development in the context of Beaulieu View housing estate.
- It is an appropriate form of development that will not impact adversely on existing residential amenity or the character of the area.
- Increasing housing estate densities is in line with National Government policies and this proposal does not lead to an inappropriate form of development.

6.0 **Assessment**

6.1. **Principle of Development and Planning Policy**

- 6.1.1. As shown on the Drogheda Borough Council – Variation No. 1 Land Use Zoning Objectives Map the site is proximate to the north eastern Borough Boundary and is

zoned RE Residential Existing, where the objective seeks: *To protect and/or improve the amenity of developed residential communities.* It is not shown zoned OS – Open Space and Recreational Area (Public/Private) where the objective seeks: *To provide for and/or improve open space and recreational amenities.* It is noted that this appears as an infill site and the principle of sustainable residential development is acceptable within the residential zoning.

- 6.1.2. Regard is also had to the 'National Planning Framework Plan 2040' which seeks to increase housing supply and to encourage compact urban growth, supported by jobs, houses, services and amenities rather than continued sprawl and unplanned, uneconomic growth. Section 2.6 refers to Securing Compact and Sustainable Growth. This also means ensuring that smaller scale opportunities for infill and brownfield development area realised.
- 6.1.3. Also, of note is Section 5.9 of the 'Sustainable Residential Development in Urban Areas Guidelines, 2009' which provides: *In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.*
- 6.1.4. The First Party provides that the site is an infill/brownfield development, fully serviced and they consider is in compliance with Development Plan standards and policies and seeks to make sustainable use of residentially zoned land. They provide that the design is in keeping with the existing units in terms of size, scale and density. Also, that the current application should be assessed on its merits i.e an application for a red brick bungalow on a relatively large irregularly shaped infill site at the end of a quiet cul-de-sac serving 7 red brick bungalows on zoned serviced land. It is provided that the scheme will effectively complete the Beaulieu View estate.
- 6.1.5. It is considered that the principle of an infill residential development is acceptable relative to the residential land use zoning. Regard is had further to the documentation submitted and to the concerns raised by the Third Party including compliance with planning policy and guidelines, issues of design and layout, impact on open space and the residential amenities of neighbouring property, access and

drainage and impact on the pattern of development and character and amenities of the area in this Assessment below.

6.2. Procedural issues

- 6.2.1. The Third Party is concerned that the site location address of the development in the planning application form is at variance with the site and newspaper notices and this is considered to be misleading and incorrect. The First Party provide details and refute this. It is considered that this constitutes a procedural issue for the Local Authority and is not within the remit of the Board.

6.3. Design and Layout and Impact on the Character and Amenities of the Area

- 6.3.1. As originally submitted the proposed development for the subject site was for a one and a half storey semi-detached pair with mansard roofs. While increased densities are generally supported the issue is that this is a restricted site and they were to be sited adjacent to the 225m foul sewer line that traverses the site. The proposed revisions allow for one single storey detached bungalow and the proposed orientation within the site has been amended to include for minimum clearance distance to the foul sewer. It is noted that the revised proposal is further set back and results in a reduced impact on neighbouring properties and a site layout that can provide the necessary wayleaves to both Irish Water and Louth CoCo for future access to the existing services on site.
- 6.3.2. It is noted that as per Table 6.3 of the Drogheda DP private open space for a 3 bedroomed house is 80sq.m. In this case as shown on the Site Layout Plan in order to meet the wayleave requirements as referred to above, the proposed dwelling is to be sited within 1m of the rear boundary, so there will be no rear garden area. However, there is a side garden area of c. 250m which I would consider to be sufficient. I would recommend the inclusion of a condition relative to boundary treatment should the Board decide to permit.
- 6.3.3. There is concern that the proposed development would dominate and not be in character with the existing single storey houses in Beaulieu View. The First Party response includes an image showing the existing house in the cul de sac in context of the front elevation of the proposed house. The single storey house is shown with

half hipped roof details to match the semi-detached units in An Rian, and a gable to the front to reflect the front of the detached single storey units in Beaulieu View. The fenestration detailing is to be similar and the height is lower than the existing buildings in the cul de sac. It is proposed that external finishes include red brick frontage, and roof tiles to match the existing in Beaulieu View.

- 6.3.4. Beaulieu View comprises of 10 red brick detached bungalows and 26 red brick semi detached bungalows. There was concern that the development originally proposed for 2no. 1.5 storey semi-detached houses on this site would be totally out of character with the remainder of this estate in terms of height, design and finish and due to their location would tend to dominate the cul de sac and be injurious to existing houses and devalue them. It is noted that these houses were more reflective of the design of the houses in the adjoining residential development to the east – An Rian, than the single storey dwellings in Beaulieu Estate.
- 6.3.5. Having regard to the revised proposal for one house the Third Party consider the proposed house will be out of character with other houses built in this part of Beaulieu View in terms of design and finish and would be overly dominant and devalue existing houses. On site, I noted that the existing single storey houses had pitched rather than mansard roofs. The latter is more reflective of the mansard roofs on the 1.5 storey dwellings in An Rian to the east. However, I would consider that provided quality external finishes are used, the resulting single storey redbrick bungalow is not out of context and will be in keeping with the single storey red brick bungalows in Beaulieu View Estate.

6.4. Public Open Space issue

- 6.4.1. There is concern about the loss of the site area to residential and it is provided that local residents in Beaulieu View have since its inception in the early 1990's maintained this area as green space. This was mainly used for the recreational play of resident's children. They note that shortly before the construction of the neighbouring development An Rian, trees which had been planted by the residents committee were dug up, a fence was erected around the green space, the grass was removed and it became a storage facility for building machinery for the construction of this estate. They contend that the functional green space was taken from the

residents without warning. Also, that the public open space available in their estate is either too close to the road and the area is less than current standards.

- 6.4.2. In response to the grounds of appeal the Planning Authority notes that they have checked the drawings & particulars of the previous parent permissions on the subject site and wish to advise that the subject site was never identified as public open space as part of any permissions granted by the PA.
- 6.4.3. Having checked the files I noted that permission was granted subject to conditions (Reg.Ref.05/325) for the construction of 24no. town houses at Termonfeckin Road, Drogheda. This was granted on subsequent appeal to the Board Ref. PL4.218738 refers. It is noted that at that time the drawings show that the north western corner of the site was included in Green Space area A. Condition no.3 (v) refers to open space ie: *Details of treatment of the interface between the communal open space proposed at Area 'A' at the western corner of the site and the hammerhead turning point adjacent to dwelling no. 8 at Beaulieu View.*
- 6.4.4. However, it is noted that the site area was reduced and the Layout changed in the subsequent application for the An Rian development granted by the Council. Reg.Ref. 10/115 refers. The neighbouring development was redesigned from that granted by the Board in 2005 (not constructed), under Reg.Ref. 10/115 (constructed), which provided a different approved layout. An extension of duration was subsequently granted Reg.Ref.15/575 refers. The development now appears substantially complete.
- 6.4.5. As shown on the Site Layout Plan the Green area shown as area 'A' in the previous application granted by the Board in 2005, was not included as part of the estate within the red line boundary in the subsequent application for 17no. houses. It is provided that the current proposal will allow for house no. 18 of that development. However, having regard to the plans and particulars submitted and the lack of linkages to the development granted in 2010, I would consider the current application as 'stand alone' and not now connected to the previous permissions. Access to the subject land area is via the Beaulieu View cul de sac with no linkages to An Rian.
- 6.4.6. Policy HC 19 of the Plan refers to quantity of open space the First Party provides that there is no policy to maintaining 10-15% in perpetuity. It does not now appear as open space, rather as an area of land that has been cordoned off as a building site.

As noted above the site is not within the Public Open Space zoning on the Drogheda DP, it is shown within the residential zoning.

6.5. Access and Roads

- 6.5.1. It is noted that there will be a new access to the site from the cul de sac in Beaulieu View. Onsite parking is provided for 2no. cars within the curtilage, which is in accordance with DP standards. There is concern that the access at the end of the cul de sac will mean that the turning area for Beaulieu View will be used for parking and consequently the very purpose of the turning area will be restricted. Also, that the developer who is constructing the houses in the immediate vicinity of the proposed site should have provided access to the proposed house from his current development. The First Party provides that the access referred to was provided in Reg.Ref. 05/325 (Board Ref. PL4.218738 refers). However as has been noted, the neighbouring development was redesigned and granted under Reg.Ref. 10/115 which provided a different approved layout.
- 6.5.2. On a more historical note as per the First Party response, having regard to the original permission for the Beaulieu View Development and as shown on the Site Location Map, the site was located on what was to be a distributor road called 'Ballymackenny Cross Route' and incidental 'open space' that would provide a buffer between the built scheme and the public road. Subsequently this road migrated further north and part of it was built as the access road into Termon Abbey and Aston Village Estates. Further details are given relative to the Port Access Northern Cross Route, linking Drogheda Port to the M1 Motorway. It is provided that whilst the strategic importance of the 'Ballymackenny Cross Route' has grown over the years its purpose was always to provide an east-west link across the north side of Drogehda, connecting residential communities and port traffic with the N1 and planned M1. Also, that the 'open space' between the hammerhead and the planned distributor road would have provided nothing more than an opportunity for planting, to provide residents with a buffer between their homes and a heavily trafficked road. This is now historical and there are no road objectives in the current Development Plan relative to such a proposal for a road reservation on the subject site which is shown zoned residential.

6.6. Drainage

- 6.6.1. The layout as originally submitted showed the semi-detached pair in proximity to the 225mm foul sewer line running through the site in proximity to the proposed development. Irish Water noted that they and Louth County Council had regard to the plans originally submitted showing the semi-detached pair and the route of the 225mm diameter foul sewer through the site and recommended that the applicant/developer record the precise location of the Foul Sewer relative to the site boundaries and the proposed development. Also, that they submit revised drawings incorporating the precise location of the Foul Sewer together with a 10m wide centre wayleave area. They provided that no part of any permanent structure should encroach into the wayleave area.
- 6.6.2. As shown on the revised Site Layout Plan, both the 10m and 6m wayleaves are available together with a section detail showing the distance between the proposed dwelling and the existing foul sewer have been indicated on the submitted drawings. The Planner's response to the Further Information submitted Report notes includes regard to Irish Water Standard Notes and provides that no permanent structure shall encroach into the public sewer area. It is recommended that if the Board decide to permit that this be conditioned.

6.7. Screening for Appropriate Assessment

- 6.7.1. The site is not within a Natura 2000 site and the nearest such sites the Boyne Estuary SPA and SAC are located less than 0.8km away. It is noted that Louth County Council have screened out the likelihood of this proposal and conclude that subject to proper construction and engineering practices being employed that best practice measures will ensure that this project has no significant effect on the local, or any, Natura 2000 sites, either during the construction phase or during any operation.
- 6.7.2. Having regard to the nature and scale of the proposed development for a single dwelling house on a fully serviced site in the suburban area of Drogheda and the nature of the receiving environment and distance to the nearest European sites, no Appropriate Assessment issues arise and it is not considered that the proposed

development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.0 Recommendation

- 7.1. I recommend that permission be granted for the proposed development subject to the conditions below.

8.0 Reasons and Considerations

Having regard to the 'residential use' zoning of the site, to the nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with existing development within the area, would be acceptable in terms of visual impact, would not seriously injure the residential amenities of the area or of property in the vicinity and would be in accordance with the provisions of the Drogheda Borough Council Development Plan 2011-2017 as extended. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.0 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 9th day of May, 2019 and by the further particulars received by An Bord Pleanála on the 11th day of July, 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.

Reason: In the interest of clarity.

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

Reason: In the interest of visual amenity.

3.(a) The rear garden shall be bounded by block wall on either side, 1.8 metres in height, capped, and rendered either side, to the written satisfaction of the planning authority.

(b) Details of the boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

4. The entire premises shall be used as a single dwelling unit.

Reason: In the interests of clarity and the residential amenities of the area.

5. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, including the rear garden area without a prior grant of planning permission.

Reason: In the interest of the residential amenities of the area.

6. The vehicular access, serving the proposed development, shall comply with the requirements of the planning authority for such road works.

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

7.(a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

(b) No part of any permanent structure shall encroach into the wayleave area as detailed on drawing number 001-24-006 dated the 1st of May 2019.

Reason: In the interest of public health.

8. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity.

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

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

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.

Angela Brereton
Planning Inspector

30th of September 2019