



An
Bord
Pleanála

Inspector's Report ABP-305142-19

Development	Development of 12 detached houses to the rear of Sandyford House (Protected structure – RPS no. 1629).
Location	Lands to rear of Sandyford House, Sandyford, Dublin 18.
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D18A/1047
Applicant(s)	Sandyford House Redevelopment Ltd.
Type of Application	Application
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party v decision
Appellant(s)	Sandyford House Redevelopment Ltd.
Observer(s)	None.
Date of Site Inspection	31 st October 2019
Inspector	Paul O'Brien

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1.0 Site Location and Description

- 1.1. The subject site contains the lands located to the rear – west/ south west of Sandyford House, Sandyford village, Co. Dublin. The site is an irregular shape with a stated area of 0.43 hectares. Access to the site is through an agricultural type gate, from the Coolkill - Sandyford Downs Road to the west; Sandyford House is accessed from the east from the Sandyford Road and a block wall separates both sites, though the remains of a driveway to the house remain on the subject site. A temporary 'Harris' fence provides the boundary along the Coolkill - Sandyford Downs Road; there is a large tree on this side of the site and a poor-quality stone wall. The site is generally level but is at a slightly lower level than the public road. From the site visit it was evident that the site has been extensively cleared of vegetation and building materials/ construction waste were evident on site. It was also evident that Sandyford House has been recently refurbished; I note that Sandyford House is listed on the record of protected structures.
- 1.2. To the north of the site is 'Churchlands', a small residential development of two storey houses; a rendered wall provides the boundary with the subject site. To the south of the site is 'Bramblewood', a detached house on its own site and beyond that is 'Coolkill', a residential development of detached, two-storey houses. To the south east of the site is the presbytery associated with the adjacent St. Marys church. An area of public open space is located to the rear of the church and north east of 'Coolkill'.
- 1.3. Sandyford village is located to the south of the M50 adjacent to Junction 14. Public transport provision in the area consists of the hourly 44 (Enniskerry to DCU via City Centre) on the Sandyford Road, the infrequent 44B (Dundrum to Glencullen) and the hourly 114 (Rockview to Blackrock Station) both accessed from the (new) Sandyford Road to the west of the site. I note that submitted and on-line maps label a number of different roads as Sandyford Road. I will label that to the east of the site the Sandyford Road and that to the west where access to the site is proposed as the Coolkill - Sandyford Downs Road, as per the street sign visible on the day of the site visit.

2.0 Proposed Development

2.1. The proposed development as submitted on 9th November 2018, consists of 12 detached houses located to the rear of Sandyford House (a protected structure), in the form of:

1 no. Type A	3 bed/ 6 Person – 1.5 storey house
2 no. Type B	5 bed/ 9 Person – 2.5 storey house
5 no. Type C	5 bed/ 9 Person – 2.5 storey house
1 no. Type D	4 bed/ 8 Person – 1.5 storey house
1 no. Type E	3 bed/ 6 Person – 1.5 storey house
1 no. Type F	3 bed/ 6 Person – 1.5 storey house
1 no. Type G	4 bed/ 7 Person – 2 storey house

A total of 340 sq m of public open space to be provided. A single access in the location of the existing entrance to be provided. The single internal road/ street would provide direct access for 11 of the houses, the 12th would directly access the Coolkill - Sandyford Downs Road. The development of 12 units on a site of 0.43 hectares provides for a density of 28 units per hectare.

2.2. Further information was sought with regards to drainage, low density of development, revisions to houses, boundary details, flood risk assessment, access road detail, connectivity to adjoining open space, provision of suitable visitor parking/ electric charging and access to house F/07. The applicant's response, on 17th May 2019, included revisions to the layout/ density included the omission of the Type C, 5 bed houses (Units 9 to 11) and the provision of a three-storey, duplex block comprising of 3 no. 2 bedroom and 3 no. 3 bedroom units. The overall number of units increased by 3 to 15 and therefore provides for a density of 35 units per hectare. Revisions were also made to house no. 02, 06, 07, 08 and 12 to enable revisions to the site layout to increase the density. A pedestrian/ cycle link to the adjoining open space with associated details has also been provided.

2.3. The revised development to consist of:

1 no. Type A	3 bed/ 6 Person – 1.5 storey house
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1 no. Type B	5 bed/ 9 Person – 2.5 storey house
2 no. Type C	5 bed/ 9 Person – 2.5 storey house
1 no. Type D	4 bed/ 8 Person – 1.5 storey house
1 no. Type E	3 bed/ 6 Person – 1.5 storey house
1 no. Type F	3 bed/ 6 Person – 1.5 storey house
2 no. Type H	5 bed/ 9 Person – 2.5 storey house

3 no. Type G 2 bed/ 4 Person – Apartment Unit (Ground floor)

2 no. Type G 3 bed/ 5 Person – Duplex Unit (first and second floors)

1 no. Type G 3 bed/ 6 Person – Duplex Unit (first and second floors)

2.4. Clarification of further information was sought in relation to surface water drainage, clarity on the location of a wayleave and flood assessment details. The applicant's response on 21st June 2019, provided relevant information.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority's decision to refuse permission is subject to one reason as follows:

Having regard to the existing deficiency in the wastewater sewer system in which the site lies, the proposed development would be premature with reference to the period within which this constraint may reasonably be expected to cease.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report, following the receipt of the further information submissions, is generally positive towards the development. It was recommended that permission be refused for the single reason of deficiency in the local foul drainage network. The report also notes *'It is considered that the scheme is otherwise acceptable'*.

3.2.2. Other Technical Reports

Transportation Planning: Following further information submissions - No objection subject to conditions.

Drainage Planning – Municipal Services Department: As all details were suitably addressed in the further information submissions, permission was recommended subject to conditions.

Parks and Landscape Services: There is a shortfall in public open space provision and a financial contribution in lieu should be applied.

Conservation Department: No objection to this development.

Housing Department: No objection subject to condition.

3.2.3. Prescribed Bodies Reports

Irish Water: Following further information submissions, no objection to the development though they do note that there is a deficiency in the local network.

Department of Culture, Heritage and the Gaeltacht: Recommend that conditions for pre-development archaeological testing be applied in the event that permission is granted.

An Taisce: No comment to make on this development.

3.2.4. Objections/ Observations

Two observations received. Submissions include:

- The occupants of 2 Churchlands support the proposed development.
- The occupant of Bramblewood supports the proposed development subject to the provision of a 2 m high wall between the site and their property.

I note that the Planning Authority's Case Officer has referenced three submissions received; from their report it appears that they counted one of these as two separate submissions.

4.0 Planning History

4.1.1. Subject site:

P.A. Ref. D17A/0562 refers to an August 2017 decision to refuse permission for alterations/ extensions to Sandyford House, a protected structure and for the construction of 14 houses to the rear of Sandyford House. Two reasons for refusal were issued and, in summary they referred to; the location of the site within an area at risk of flooding; and, poor residential amenity through overbearing and insufficient separation distance to adjoining houses and the provision of poor quality open space.

P.A. Ref. D19A/0744 refers to an October 2019 application for 15 dwellings on this site. No decision has been made to date on this application.

4.1.2. **Adjoining site – Sandyford House:**

P.A. Ref. D18A/0249 refers to an August 2018 decision to grant permission for: 1. The removal of a single storey extension to the rear of Sandyford House, a protected structure and the construction of a new single storey extension to the rear, refurbishment and repairs of Sandyford House for use as a private dwelling with a retained site area of c.0.1 ha. 2. The demolition of an existing single storey non-habitable dwelling to the rear in dilapidated state and the construction of detached single storey 4 bedroom replacement dwelling to the south of Sandyford House with a site area of c.0.07 ha. 3. All necessary access and site works. From the site visit, this development was substantially complete.

5.0 **Policy and Context**

5.1. **Development Plan**

5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the subject site is zoned A 'To protect and/ or improve residential amenity'. Residential development is listed within the 'Permitted in Principle' category of this zoning objective.

5.1.2. Adjoining the site, to the east is Sandyford House which is listed on the Record of Protected Structures – RPS no. 1629 refers and is described as a House.

5.1.3. Chapter 2 – 'Sustainable Communities Strategy' of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, includes section 2.1 'Residential

Development'. The Introduction (2.1.1) refers specifically to how future population growth will be accommodated, with one model – *'Through the continuing promotion of additional infill accommodation in existing town and district centres at public transport nodes, brownfield sites and established residential areas'*.

5.1.4. Under 2.1.3.3 'Policy RES3: Residential Density*' it is stated that *'In some circumstances higher residential density development may be constrained by Architectural Conservation Areas (ACA) and Candidate Architectural Conservation Areas (cACA) designations, Protected Structures and other heritage designations. To enhance and protect ACA's, cACA's, Heritage Sites, Records of Monuments and Places, Protected Structures and their settings new residential development will be required to minimise any adverse effect in terms of height, scale, massing and proximity'*.

5.1.5. Under 2.1.3.4 'Policy RES4: Existing Housing Stock and Densification**' it is policy to:

- *Encourage densification of the existing suburbs in order to help retain population levels – by 'infill' housing. Infill housing in existing suburbs should respect or complement the established dwelling type in terms of materials used, roof type, etc.*
- *Actively promote and facilitate:*
 - *conversion of existing housing stock to accommodate a larger number of households - principally by subdivision of larger-than-average family houses - in well serviced urban areas.*
 - *development of mews buildings and other infill accommodation which is in harmony with existing buildings.*

Under 2.1.3.7 'Policy RES7: Overall Housing Mix' *'It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy'*.

5.1.6. Chapter 8 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 refers to ‘Principles of Development’ and the following are relevant to the subject development:

8.2 ‘Development Management’ – with particular reference to section 8.2.3 ‘Residential Development’ and 8.2.3.4 ‘Additional Accommodation in Existing Built up Areas’.

5.2. National Guidance

- The National Planning Framework includes a specific Chapter, No. 6 - ‘*People Homes and Communities*’ which is relevant to this development. This chapter includes 12 objectives (National Policy Objectives 26 to 37) and the following are key to this development:
 - National Policy Objective 27 seeks to ‘*Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages*’.
 - National Policy Objective 33 seeks to ‘*Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location*’.
 - National Policy Objective 35 seeks to ‘*Increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights*’.
- *Design Manual for Urban Roads and Streets (DMURS)*.
- *Sustainable Urban Residential Development Guidelines (DoEHLG, 2009)* and its companion, the *Urban Design Manual - A Best Practice Guide (DoEHLG, 2009)*.
- *Quality Housing for Sustainable Communities (DoEHLG, 2007)*.
- *Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (DoHPLG, 2018)*.

5.3. Natural Heritage Designations

None.

5.4. EIA Screening

- 5.4.1. Having regard to the nature of the proposed development comprising the development of 15 residential units in the form of houses and apartments, in an established urban area and where infrastructural services are available, 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

The applicant has engaged the services of RW Nolan & Associates – Chartered Planning & Property Advisors, to prepare a first party appeal against the decision of Dun Laoghaire-Rathdown County Council to refuse permission. The main grounds include:

1. The Planning Authority and Irish Water did not take full account of the applicant's submitted engineering details that demonstrated that there is an adequate capacity in the drainage network to service this development.
2. The development is not premature as measures can be taken locally to adequately upgrade the network.
3. The Case Officer considered the first received Irish Water report as the most relevant in the overall assessment of the development and refused permission on the basis of this report. The subsequent Irish Water report raised less of a concern indicating that the issues could be addressed by the applicant.
4. The applicant has outlined why this site is suitable for infill development at the revised number of 15 units rather than the originally proposed 12 units. No

impact to the adjoining protected structure is foreseen. Previously raised issues under other applications regarding flooding and surface water drainage have been adequately addressed. No significant traffic impact is foreseen and adequate car parking is provided on site to serve the development. The residential amenity of the future occupants and existing adjoining houses have been carefully considered.

6.2. **Planning Authority Response**

- The grounds of appeal do not raise any new matters, so no additional comment is made.

6.3. **Observations**

- None.

7.0 **Assessment**

7.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Foul Drainage
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Other Issues
- Appropriate Assessment Screening

7.2. **Principle of Development**

7.2.1. Following the receipt of further information, the proposed development was revised to consist of 15 residential units in the form of 9 houses and 6 duplex units. This brought the density up to 35 units per hectare which is at the minimum of what would be expected for such an urban, serviced site. I do note that public transport provision in the area is not of a high frequency with limited connectivity and with no

proposals for any increase in frequency of services in the short to medium term. The site is suitably zoned for residential development and I consider the site to be appropriate for infill residential development of the type/ density proposed.

7.3. Foul Drainage

- 7.3.1. The development was refused by the Planning Authority for a single reason citing prematurity due to a deficiency in the wastewater drainage network and with no indicated time for the upgrade of the system.
- 7.3.2. The history of the site and of this application, specifically in relation to foul drainage, is relevant in considering this issue.
- P.A. Ref. D17A/0562 refers to an August 2017 decision to refuse permission for alterations/ extensions to Sandyford House and for the construction of 14 houses to the rear of Sandyford House. This refusal did not refer to wastewater drainage.
 - The subject application was originally lodged on the 9th of November 2018. Irish Water reported on the 31st of December 2018 that they had serious concerns due to an existing deficiency in the foul drainage catchment which the site lies within. They indicated that the proposed development would exacerbate the situation to an extent that would be prejudicial to public health and that the development would be premature as there was no date for the deficiency to be rectified. Irish Water also noted that a failure to provide an alternative may result in a recommendation of refusal and the applicant was advised to contact Irish Water in this regard. The Planning Authority noted this report and further information was requested in this regard and with regard to other matters including a request to increase the density of development.
 - The applicant response indicated that with regard to the foul drainage, the proposed development would not be problematic, and that no alternative exists. According to the Planning Authority's Planning Report, no report was received from Irish Water and the clarification of further information sought on 12th of June 2019 did not refer to foul drainage.
 - I note that Irish Water did submit a report to the Planning Authority on 10th of June 2019. This states that *'IW has no objection to the proposal based on the*

plans and particular included in the planning application, however, please note the following;

- 1) *The development site lies within the catchment of a Wastewater Sewer System that has an existing deficiency. There is currently a Drainage Area Plan (DAP) underway in this area that will identify the deficiencies and outline any upgrades required in the catchment. If a connection is proposed in advance of the delivery of any DAP upgrades, it will be necessary to carry out further detailed investigations, via a Project Works Services Agreement, to confirm the available wastewater capacity and to determine the full extent of any local upgrades which may be required to be completed to the wastewater network, prior to agreeing to the proposed connection'. Points 2) and 3) are standard conditions regarding connection to the public water/ wastewater network and noting of potential capacity concerns. A handwritten note of an additional condition appears to be only partially composed and is ignored.*
- The clarification of further information received on 21st of June 2019, was referred to Irish Water and a report was submitted but the Planning Authority Case Officer refers to the report dated 10th of June 2019.
 - The applicant has submitted additional details in support of their appeal, most notably their correspondence with Irish Water:
 1. A letter received from Irish Water dated 30th August 2017 concerns a pre-connection enquiry and notes constraints in the network with that the proposed development would be connected to the IW foul network that discharges via Kilcross Estate, west of the site.
 2. An Irish Water letter dated 10th of June 2019 and again this noted a deficiency in the network. However, the letter notes that a Drainage Area Plan (DAP) is underway to identify the network deficiencies. It indicates that if the connection was carried out prior to these upgrades, further investigations would be required to determine any necessary upgrades. Part of the cost of the upgrade would have to be contributed to by the developer.
 - The appeal submission includes a report from Punch Consulting Engineers in relation to drainage and water supply. In summary this indicates that the existing sewers in the area appear to be operating well below capacity and that the proposed development would only increase the loading by circa 1.123 l/s.

7.3.3. I note the reports of the Planning Authority, Irish Water and the applicant/ their consultants. Permission was refused for a single reason, foul drainage capacity. This was raised in the initial Irish Water report as of concern but the subsequent report appears to raise less of a concern with recommended ways of addressing capacity constraints. It is not known why the Planning Authority sought further information which included an increase in unit numbers and a consequent increase in loading on the foul drainage system and yet decided to refuse permission primarily, it appears, by reference to the Irish Water report dated 31st December 2018. From my reading of the Irish Water report dated 10th of June 2019, upgrades are possible but may require the applicant to partially fund them. This process would not be unusual and in any event if the applicant is granted permission, they may or may not decide to progress with the application to construction stage.

I therefore consider from the available information that Irish Water do not have a fundamental objection to this development and their original concerns have largely been addressed over time by the applicant.

7.4. **Design and Impact on the Character of the Area**

7.4.1. I note that the proposed layout of open space is similar to that proposed under P.A. Ref. D17A/0562 and, in relation to which, permission was refused for reasons including substandard open space. 311 sq m of public open space is indicated on the site layout plan following receipt of further information. In accordance with Section 8.2.8.2 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, there is a requirement for 907.5 sq m of public open space. However, a significant revision in the layout is that access to existing open space is provided for to the south east of the site and this ensures that future residents have easy access to suitable public open space. It is considered that the visitor parking to the south of the public open space should be omitted to increase the area of open space and that the boundary between the public/ private amenity space adjacent to house H15 be revised so as not to be a nuisance to the future occupants of this house as recommended on the Planning Authority's Parks and Landscape report.

7.4.2. The applicant has proposed a development that maximises the number of units on site whilst having regard to the existing residential character of the area. The

proposed development provides for a good mix of housing types and will cater for a mix of housing demand.

7.5. Impact on Residential Amenity

- 7.5.1. The constraints of the site limits the layout of the proposed houses. Overlooking of adjoining properties is not foreseen as the proposed houses have been carefully designed to address this issue. Similarly, the issue of overshadowing of adjoining properties has been carefully considered in the layout design. The existing houses to the north in Churchlands, will not suffer any significant overshadowing and overbearing is similarly not an issue. Any overshadowing of the houses to the south will be marginal and only for very short periods of time early in the morning in the middle of the summer. Loss of residential amenity is not foreseen in these cases. I also note that house H15 may overshadow the private amenity space of Sandyford House to the rear, but again the impact on residential amenity will be minor.
- 7.5.2. The proposed houses have adequate private amenity space and although the depth of garden may be as low as 7 m in part (House D05), this is offset by a significant width in garden, 14.15 m in part. Room sizes including storage provision are acceptable.
- 7.5.3. Each of the houses is provided with two off-street parking spaces and the duplex/ apartment units are provided with a total of eight parking spaces, meaning that each unit has a dedicated parking space.
- 7.5.4. As already noted in this report, in addition to the open space provided on site, the proposed development includes a high-quality access to existing public open space to the south east. House F07 and the duplex block ensure that the access and public open space receive increased passive surveillance, which is desirable.

7.6. Other Issues

- 7.6.1. As already noted in this report, the recent planning history on this site is somewhat complex. Previous reasons for refusal, including flood issues, poor quality of open space provision and impact on residential amenity, have been adequately addressed by the applicant.

7.6.2. The presence of Sandyford House is of significance in the assessing of this application. This house has recently been refurbished and its presence on the Sandyford Road has been enhanced. I consider its presence on the Coolkill - Sandyford Downs Road to be less significant and the development of a residential scheme on this site will not impact negatively on the setting or character of this protected structure.

7.7. **Appropriate Assessment Screening**

7.7.1. 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 give rise to a significant effect individually or in combination with other plans or projects on an European site.

8.0 **Recommendation**

8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 **Reasons and Considerations**

9.1. Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016-2022 and the zoning for residential purposes, to the location of the site in an established residential area and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development 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.

10.0 **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 9 th of November
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	<p>2019, as amended by the significant further plans and particulars submitted on the 17th of May 2019 and by the clarification of further information, plans and particulars received on the 21st of June 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This permission is for 15 no. residential units in the form of 9 detached houses, 3 no. two bedroom apartments and 3 no. three bedroom duplex apartments, as indicated on Drawing No. D1090-A3-302 Revision A, received by the Planning Authority on 17th of May 2019.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>(a) The boundary wall between House H15 and the public open space to be revised such that the boundary projects from the front building line and on a south to north axis to the boundary to the north of the site.</p> <p>(b) Visitor parking shall be omitted from the southern side of the public open space area and the parking areas shall be used as additional public open space.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of residential amenity.</p>
4.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p>

	Reason: In the interest of public health.
5.	<p>The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
6.	<p>The developer shall ensure that all cycle parking areas and facilities be designed and provided in accordance with the Dun Laoghaire-Rathdown County Council – Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018).</p> <p>Reason: In the interest of sustainable development and in the interest of proper planning.</p>
7.	<p>The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
8.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the Planning Authority and the Department of Culture, Heritage and the Gaeltacht in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and</p> <p>(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.</p> <p>The assessment shall address the following issues:</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p>

	<p>A report, containing the results of the assessment, shall be submitted to the Planning Authority and the Department of Culture, Heritage and the Gaeltacht and, arising from this assessment, the developer shall agree in writing with the Planning Authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.</p>
9.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Any existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual and residential amenity.</p>
10.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any dwelling unit.</p> <p>Reason: In the interests of amenity and public safety.</p>
11.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for</p>

	<p>and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
12.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
13.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in Dun Laoghaire-Rathdown County Council's 'Taking-in-Charge Policy Document (April 2013). Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
14.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
15.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate</p>

	<p>measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
16.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place-names for new residential areas.</p>
17.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
18.	<p>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</p>

	<p>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.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
19.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>

Paul O'Brien
Planning Inspector

7th November 2019