



An
Bord
Pleanála

Inspector's Report ABP-305845-19

Development	Demolition of house and construction of three detached houses, new vehicular entrances, driveways and associated works.
Location	51 Dundela Park, Glenageary, Co. Dublin.
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D19A/0603
Applicant(s)	Maeve O'Donnell
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Observers	Brian McAteer, Ciaran Brady & John O'Hagan Garrett & Enda O'Hagan B Ni Dhochartaigh & C Cooney
Date of Site Inspection	19 th December 2019

Inspector

Paul O'Brien

1.0 Site Location and Description

- 1.1. Number 51 Dundela Park comprises a large two-storey house with a stated floor area of 340 sq m, located on a site of 0.094, on the western corner, junction site of Dundela Park and Dundela Avenue. Dundela Park and Avenue are located to the south of Glasthule and Sandycove and are accessed from Elton Park to the north and Castle Park Road to the east. Glenageary DART station is located circa 400 m to the south west of the site, though is approximately 700 m walking distance away.
- 1.2. From the submitted floor plans the house is provided with 7 no. bedrooms, one of which is in the attic space. The front of the house faces south onto Dundela Park and there is a vehicular access with garage to the north, off Dundela Avenue. The house was extended to the eastern side and the side of the house projects forward of the front building line of the houses on Dundela Avenue.
- 1.3. The area is characterised by two-storey detached houses with large detached houses found on corner sites. Number 51 and 53 to the east, flank the junction of Dundela Park and Avenue. Originally all houses were hipped roofed, though this is no longer obvious due to the provision of dormers and gable ended roofs to increase the available floor area. It was evident from the site visit that the houses within Dundela are afforded generous areas of private amenity space and front garden areas are also generous. Site boundaries consist of low walls that are dash finished and capped with red brick. These boundaries have been augmented in a number of locations by hedgerows providing for additional screening.
- 1.4. All houses were originally provided with detached garages set back behind the rear building line. Many of these garages have been integrated by way of extension to form part of the habitable floor area of the houses. The subject site is provided with a garage as already identified, to the north of the site but which is attached to number 1 Dundela Park. Number 1 Dundela Park has been extended to the side and the garage has been incorporated into the main body of this house. Unusually, part of the garage structure of number 49 to the west of number 51, extends into the subject site and is attached to the main body of number 51. From the floor plans, this is described as partially for storage and partially for utility use.

2.0 Proposed Development

2.1. The proposed development consists of:

- The demolition of the existing two-storey detached house.
- The construction of three no. detached, two storey units. The two houses, 51A and 51B addressing Dundela Park are to be four-bedroom units and the other unit labelled 51C, addressing Dundela Avenue, is to be a two-bedroom house.
- Two car parking spaces for each of the proposed houses on Dundela Park are provided and a single car parking space for the house on Dundela Avenue.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for two reasons as follows:

1. Having regard to the size of the site, its location relative to a DART Station and the quantum of development proposed, the resultant residential density of c.32 dwelling units per hectare is not considered to be of a sufficiently high density as set out in Policy RES3: 'Residential Density' in the Dún Laoghaire-Rathdown County Development Plan, 2016-2022. The proposed development would therefore materially contravene a development objective set out within the Dún Laoghaire-Rathdown County Development Plan, 2016-2022 and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the demographics of the area and an increase in elderly and single person households within the County, it is considered that there is a need to provide a greater variety of house types and sizes at this location. In this regard, it is considered that the proposed development of large detached dwellings, fails to provide an appropriate type and mix of residential accommodation and housing for all, and is therefore contrary to policies RES7: 'Overall Housing Mix' and RES9: 'Housing for All', in the Dún Laoghaire Rathdown County Development Plan, 2016-2022. The proposed development is therefore considered to be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning report reflects the decision to refuse permission subject to reasons. I note from the Planning Authority Case Officer's conclusion that 'To conclude, whilst the principal of a residential development on this site is acceptable, significant issues arise in relation to this particular proposal having regard to the proposed density and housing mix'. Reference is made to the subject proposal not overcoming previous reasons for refusal under P.A. Ref. D19A/0270.

3.2.2. Other Technical Reports

Transportation Planning: No objection subject to recommended conditions including the width of the vehicular entrance to be a maximum of 3.5 m and the driveways to incorporate SuDS.

Drainage Planning – Municipal Services Department: No objection subject to recommended conditions.

3.2.3. Prescribed Bodies Report

Irish Water: No objection subject to recommended conditions.

3.2.4. Objections/ Observations

A number of letters of objection were received to the original application. Issues raised include:

- The site is zoned Objective A in the current Dun Laoghaire-Rathdown County Development Plan, and which seeks *'to protect and/ or improve the residential amenity of the area'*.
- The proposal would result in overdevelopment of this site having regard to the existing character of the area and would be contrary to Objective UD1 of the county development plan.
- The proposal would be overbearing on adjoining sites and would be visually negative.
- The development would have a negative impact on neighbours' private amenity space.

- The development is visually out of character with the existing form of development in the area and would break established building lines.
- Insufficient setbacks from site boundaries are proposed.
- The development if permitted would establish a poor precedent for similar development in the area.
- Request that windows on upper levels on the south east elevation of the proposed unit 51B be fitted with obscured glazing to ensure privacy of 53 Dundela Park.
- Request that a boundary wall of 2m in height be provided along the south east boundary of 51B.
- Request that working hours be restricted, that vehicular access to the rear of no. 53 be maintained and that measures be taken to ensure that drains in the area that overflow, be prevented from doing so.
- The proposed development does not comply with policies RES7: Overall Housing Mix and RES9: Housing for All in the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022.
- Potential for traffic hazard through the location of vehicular entrances onto the public street.
- The flat roofed two-storey unit is out of character with the area.
- Garden provision is limited.
- There is a requirement for smaller houses in the area for existing residents to downsize to.
- Impact on the area would be negative during the demolition/ construction phase of development.
- Reason for demolition due to poor energy rating is not accepted as this issue can be easily addressed.
- The existing house could be remodelled to create two separate units.
- The proposed development does not address previous reasons for refusal for similar development in the area.
- Object to the removal of a large tree on the road.

4.0 Planning History

P.A. Ref. D19A/0271 refers to a June 2019 decision to refuse permission for the construction of a detached dormer bungalow with roof lights over, located to the rear of no. 51 Dundela Park. Reasons for refusal included the design was out of character with the established form of development in the area and due to a lack of separation distance, the proposed house would be visually overbearing on adjoining private amenity space.

P.A. Ref. D19A/0270 refers to a June 2019 decision to refuse permission for the demolition of the existing no. 51 Dundela Park and for the construction of 2 no. 2 storey detached houses. Three reasons for refusal were issued which included insufficient density having regard to the proximity to a DART station, the design of the houses would be out of character with the area through being visually dominant and there is a need for a greater mix of house types in the area due to the increase in the elderly and single person households.

P.A. Ref. D15B/0371/ ABP Ref. PL06D.245929 refers to an April 2016 decision to grant retention permission for the position as constructed of 2 no. first floor windows, previously granted under register reference D14B/0455 to the south elevation of number 1 Dundela Avenue, the house to the north of the subject site.

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. 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’.

5.1.3. 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.*

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’.*

5.1.4. 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’. Full regard has been had to section 8.2.3.4 (v) ‘Corner/Side Garden Sites’.

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 Residential Development in Urban Areas (Cities, Towns & Villages)* (DoEHLG, 2009) and its companion, the *Urban Design Manual - A Best Practice Guide* (DoEHLG, 2009).
- *Quality Housing for Sustainable Communities* (DoEHLG, 2007).

5.3. Natural Heritage Designations

None.

5.4. EIA Screening

Having regard to the nature of the proposed development comprising the demolition of an existing house and the construction of three houses 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 Hughes Planning & Development Consultants to appeal the decision of Dun Laoghaire-Rathdown County Council to refuse permission. The following issues have been raised in the appeal:

- The site currently provides a density of circa 10.6 units per hectare and is therefore suitable for infill development due to proximity to retail, leisure and employment centres. The site is within 750 m of Glenageary DART station and a number of bus stops along the Sandycove Road north of the site.
- Densities of 35 to 50 units per hectare are only encouraged on sites in excess of 0.5 hectares in accordance with the 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009). 4 houses on this site would provide a density of 43 units per hectare, the proposed development is for 32 units per hectare.
- The proposed development of an infill residential development is compliant with national and local planning policy. The development to propose the demolition of an existing house and to construct three new houses on this site.
- The design as submitted was proposed to address the reasons for refusal under PA Ref. D19A/0270 and PA Ref. D19A/0271.
- The proposed development will not have a negative impact on the visual or residential amenity of Dundela Park and Dundela Avenue.
- Examples of similar developments have been provided in support of this appeal.
- There is a housing mix of two no. four bedroom units and one no. two bedroom unit. The proposed development will introduce a mix of housing types to an area characterised by large four-bedroom houses.
- Overshadowing and overlooking leading to a loss of privacy of adjoining sites is not foreseen.
- The development of a new building line on Dundela Avenue will allow for the most efficient use of this site.

6.2. Planning Authority Response

- 6.2.1. No new matters have been raised that 'would justify a change of attitude to the proposed development'.

6.3. Observations

Observations have been received from three of those who originally objected to this development, B Ni Dhochartaigh & C Cooney of 55 Dundela Park, G & E O Hagan of 6 St Margaret's Close, Dalkey and B McAteer (17 Dundela Avenue), Ciaran Brady (20 Dundela Avenue) & John O'Hagan (15 Dundela Avenue). The main planning issues include:

- The development is not a typical infill, it requires the demolition of an existing habitable house.
- The development will have a negative impact on the character of the area and does not improve the existing residential amenity of the area.
- Existing residential amenity is not protected by the demolition of housing.
- The examples provided by Hughes Planning & Development Consultants are not relevant/ appropriate to this site.
- The proposed design is somewhat better than previously proposed; however, the layout does result in the breaking of established building lines. One of the houses is only 2.26 m from the public footpath.
- The retention of the existing house and its conversion to multiple occupancy would provide for a suitable tenancy mix in the area.
- The contemporary design of the two-bedroom unit is out of character with the existing form of development in the area.
- There is limited provision of private amenity space to serve these houses.
- The subject site is zoned Objective A in the current Dun Laoghaire-Rathdown County Development Plan, and which seeks *'to protect and/ or improve the residential amenity of the area'*.
- Potential for traffic hazard through the location of vehicular entrances onto the public street.
- The flat roofed two-storey unit is out of character with the area.
- Garden provision is limited and there is no public open space in the area to serve the local residents. Therefore, existing green areas should be retained.

- There is a clear requirement for smaller residential units in the area for existing residents to downsize to.
- The demolition/ construction phase of development would be disruptive to existing residents.

7.0 **Assessment**

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

- Density
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Traffic and Access
- Other issues
- Appropriate Assessment Screening

7.2. **Density**

- 7.2.1. The overall site area as outlined in red is stated to be 0.094 hectares and the development of three houses provides for a density of 32 units per hectare. Full regard has been had to the '*Sustainable Residential Development in Urban Areas*' guidelines with reference to appropriate infill development and density.
- 7.2.2. Generally, infill development should be within the range of 35 to 50 units per hectare. However, such infill has to take account of the existing character and form of buildings in the area, the type of development that is possible and having regard to any potential restrictions. As noted by the applicant, the existing density of development is low at 10.6 units per hectare and the surrounding area would have a similar density and generally not in excess of 35 units per hectare. The provision of three detached houses on the site of a detached house would increase the density of units in an appropriate manner. Density could be increased in the form of apartments/ duplex units however such residential units are not characteristic of this area. The applicant has also retained the entirety of the garages/ sheds that are

within their ownership which were previously proposed for demolition and restrict the potential for the development of the overall site area.

- 7.2.3. The Planning Authority Case Officer has referenced Policy RES3 of the County Development Plan which encourages densities of 50 units per hectare, however no direction as to how this can be achieved is provided in the planning report. The applicant has provided three houses with suitable amenity on lands that currently accommodate only one house. An increase to four houses is not easily possible without having a negative impact on residential amenity (both neighbours and future residents of these units) and I therefore consider that the density at 32 units per hectares is on balance acceptable in this location. The merging of sites thereby providing for a larger area than 0.094 hectares would present a greater opportunity for an increase in density.

7.3. Design and Impact on the Character of the Area

- 7.3.1. The existing unit on site is an attractive house, however the extension to the side and alterations to the front elevations have significantly changed the overall character and it is considered that its retention is not essential to the preservation of the attractiveness of this area especially if a more efficient use of the site can be achieved.
- 7.3.2. The issue of design has been raised a number of times in the submitted observations and I note that the Planning Authority Case Officer has reported that 'It is considered that the proposed development would provide for a high quality design' and then goes on to identify specific elements of the design of the two houses addressing Dundela Park and the detached house on Dundela Avenue. The Case Officer states that the 'The design of the proposed development is therefore considered acceptable' and I agree with this. It is considered that the houses that address Dundela Park are visually acceptable and appropriate for this prominent location. These are detached units with hipped roofs and are finished with materials similar to those of the existing houses in the area, therefore allowing for good integration into the existing streetscape.
- 7.3.3. The proposed house on Dundela Avenue, no. 51C, is a two-storey, flat roofed contemporary designed unit. It is considered that the introduction of appropriate contemporary designed units into an established residential area can be

accommodated. From the submitted elevations it appears that a mix of external treatments in the form of render and brick is proposed, and this is in keeping with the existing character of the area. The design of the house which includes a projecting front element, reduces the potential bulk of this unit. I note that the house to the north, no. 1 Dundela Avenue has been extended to the front/ side and which includes a projection forward of the front building line over two-floors. The proposed no.51C takes elements of its design from the extended no. 1 Dundela Avenue including the projecting front element and mix of material types on the elevation treatment.

7.3.4. The breaking of established building lines has also been referenced in the observations. I note the layout of the existing house and that of the proposed and the majority of the two houses facing onto Dundela Park are located on the footprint of no. 51. The eastern most house projects by approximately 2.3 m beyond the side building line of no 51. There remains a separation setback of 2.15 m between the house and the boundary to the east, which is acceptable. The breaking of building lines has been established through the extension of no. 51 in the past. In addition, the impact on no. 1 Dundela Avenue is reduced by the projection to the front of this house which screens southerly views from the front door area.

7.3.5. The design and layout of the three houses allows for an appropriate increase in unit numbers whilst having regard to the existing building lines in the area. What results is a modest extension beyond the existing building lines in a stepped or staggered layout for the new houses. However, the established building lines on Dundela Park and Dundela Avenue are not adversely impacted upon and retain their character.

7.4. Impact on Residential Amenity

7.4.1. The potential impact of the development on the existing residential amenity of the area has been raised by the appellants as of concern. The zoning of the site allows for residential development at an appropriate density and scale. Overlooking leading to a loss of privacy is not foreseen as the rear garden depths of the new houses on Dundela Park have depths of 11 m and there are no directly opposing windows at first floor level between those of the two houses on Dundela Park and the new house on Dundela Avenue. The new house on Dundela Park has very limited first floor

windows and the two primary windows on the south east elevation directly face the public street/ road.

- 7.4.2. Issues of overshadowing from the two houses on Dundela Park do not arise through their orientation and generous separation distances to the sides and rear. Similarly, I do not foresee issues of overshadowing leading to a loss of daylight from the proposed house on Dundela Avenue. The design of this unit has been carefully considered so that it does not impact negatively on the private amenity space of no. 1 Dundela Avenue. I note that there are two windows at first floor level on the southern elevation of no. 1 Dundela Avenue, however these are high level windows and the 2.4 m separation distance between the proposed house and these windows will ensure that adequate light penetration will occur.
- 7.4.3. The two houses on Dundela Park are to be provided with 92/ 99 sq m of private amenity space which is acceptable for four-bedroom houses. The two-bedroom unit to be provided with 50 sq m of private amenity space; again, this is acceptable in terms of quantity and the layout in addition to its south west orientation will ensure that it is a quality space. In the event that permission is granted, exempted development rights under Class 1 and Class 3 of Part 1, Schedule 2 of the Planning and Development Regulations 2001 as amended should be removed to ensure that the quantity/ quality of private amenity space is protected.
- 7.4.4. Room sizes within the proposed houses are acceptable and adequate accessible storage provision can be provided. The existing garage will be incorporated into the habitable floor area of the house on Dundela Avenue, forming part of the kitchen and a utility room.

7.5. **Traffic and Access**

- 7.5.1. The submitted site layout plan indicates how two cars can be parked in curtilage to the front of the two new houses on Dundela Park. The access to the eastern most house requires the removal of a tree from the front of the site, on the public footpath. The site layout plan indicates a parking space for one car to the front of the house on Dundela Avenue though it may be possible to park a second car off-street on this site.

- 7.5.2. The Dun Laoghaire-Rathdown Transportation Planning Section, has reported no objection to this development subject to conditions including the provision of suitable SuDS measures and that the driveway entrances to not exceed a width of 3.5 m.
- 7.5.3. The proposed boundary treatments are acceptable and will integrate with the existing low walls and hedgerows in the area. A 1 m high wall is proposed to the front and side of the new houses and a section of wall along Dundela Avenue is to be 2 m high to screen the private amenity space of no. 51B. Pedestrian entrances to the proposed houses are to be gated which is an existing feature of no 51.

7.6. **Other Issues**

- 7.6.1. The second reason for refusal issued by the Planning Authority refers to the proposal not providing for a suitable mix of housing types to serve the area. It was referenced also in the observations that there is a need for suitable houses in the area for residents to downsize to. The area is characterised by large two-storey houses that appear to be in the form of either three or four bedrooms. The proposed development introduces a two-bedroom unit to the area in addition to two four-bedroom units. There is no specific/ local objective on this site for the development of a particular type of housing unit and the 'A' zoning objective seeks to 'To protect and/ or improve residential amenity' and I consider that the proposal achieves this.
- 7.6.2. Loss of open space was referenced in the observations and this is noted, however the lack of public open space predates this development and the provision of such amenity lands cannot be generated by a development on a site of 0.094 hectares.
- 7.6.3. Irish Water and the Dun Laoghaire-Rathdown Drainage Planning – Municipal Services Department have reported no objection to this development subject to conditions. New soakaways are proposed for each of the three new sites.

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 of the site for residential purposes, to the location of the site in an established urban area within walking distance of the DART station at Glengeary and to the nature, form, scale, density 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.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on the 16th of August 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 the demolition of 51 Dundela Park, and for the construction of 3 no. residential units in the form of 2 no. detached four-bedroom houses and a single detached two-bedroom house.</p> <p>Reason: In the interest of clarity.</p>

3.	<p>Prior to the commencement of development, the developer shall provide, for the written agreement of the planning authority, full details of the proposed external design/ finishes in the form of samples and on-site mock ups. These details shall include photomontages, colours, textures and specifications. The new boundary walls shall match the existing walls in the area in terms of red brick capping and plastered/ rendered finish.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001 as amended, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwelling houses without a prior grant of planning permission.</p> <p>Reason: In the interest of residential amenity.</p>
5.	<p>The following requirements of the Planning Authority shall be adhered to in full;</p> <p>i) The vehicular access, serving the proposed development, shall comply with the requirements of the Planning Authority for such road works.</p> <p>ii) Any gate to be installed shall be inwards opening only and shall not open across the public footpath.</p> <p>Reason: In the interest of traffic and pedestrian safety.</p>
6.	<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> <p>Reason: In the interest of public health.</p>
7.	<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>

8.	<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>
9.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
10.	<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>
11.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>

12.	<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 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>
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Paul O'Brien
Planning Inspector

7th January 2020