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Under Section 137 of the Planning & Development Acts 2000, the Board's Direction to the applicant it was noted that they had considered the following matters in their determination of this appeal case:

*“Notwithstanding the appropriateness of the proposed office use, as set out in the application documentation, and the appropriateness in principle of residential use at this site, the Board considered that the eight proposed residential units, are substandard in terms of design, layout and size, with a number of units providing poor quality internal living and bedroom spaces. With specific regard to the three units proposed within the Coach House building, the Board considered that the small size of the respective units, along with the limited ceiling height available for approximately half of the floorspace at first floor level, would contribute to an extremely poor form of residential amenity. In this regard the Board considered that the proposed residential units would represent a poor design response to the subject site”.*

The Board also noted that they considered that:

*“The proposed dwelling units would be contrary to the relevant provisions of ‘Sustainable Urban Housing: Design Standards for New Apartments. Guidelines for Planning Authorities’ published in December 2018 by the Department of Housing, Planning and Local Government. Specifically, the application documentation states that six of the eight proposed dwellings, are studio units. This would be contrary to Specific Planning Policy Requirement 2 as set out in the Ministerial Guidelines, which states that, ‘for all building refurbishment schemes on sites of any size... where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units)*

*comprises studio-type units.’ In addition, the Board considered that unit 6 in particular falls significantly short of the minimum floor area for a studio unit, as set out in Appendix 1 of the Ministerial Guidelines”.*

The Board further stated:

*“Having regard to the above, the Board is minded to consider a refusal of permission for the proposed development, by reason of a substandard quality of residential accommodation derived from an overdevelopment of units within the scheme, a poor quality of design and layout for those units, the limited size of the units and non-conformity with the relevant provisions of ‘Sustainable Urban Housing: Design Standards for New Apartments. Guidelines for Planning Authorities’ published in December 2018 by the Department of Housing, Planning and Local Government”; and, “as these matters constitute a new issue within the context of the appeal currently before the Board, you are invited to make a submission or observation in relation to the above”.*

I note that the Board allowed three weeks for the applicant to address the above matters.

In addition to the above and pursuant to Section 132 of the Planning & Development Acts, 2000, as amended, the Boards Direction also sought the following from the applicant:

*“Revised architectural drawings which show the full detailing (both external and internal) of the protected structure, including accurate detailing of the historic fabric to be kept and any changes to historic fabric proposed, all to ensure a consistency between these drawings and the description as set out in the Architectural Heritage Impact Assessment, as lodged with the planning application”.*

The Board indicated that it was their opinion that these particulars may be necessary for the purposes of enabling it to determine this appeal.

The Board allowed the applicant four weeks to address the above.

A response to the Board's request for further information was submitted by Tom Phillips & Associates on the 13<sup>th</sup> day of May, 2020, on behalf of the applicant. By way of this response the applicant proposed to:

1. Revise the residential component of the scheme initially proposed in accordance with the Board's request. In particular by way of reducing the originally sought 8 no. dwelling units to 6. With these dwelling units to be provided within the buildings footprint and envelope to the rear of the proposed office use proposed for No. 8 to 10 Oliver Plunkett Street and with these dwelling units designed to be consistent with the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018'. The 6 dwelling units now proposed consist of 3 no. studio dwelling units (Note: Dwelling Units Labelled 1, 5 and 6); 2 no. 1 bedroom dwelling units (Note: Dwelling Units Labelled 3 and 4); and 1 no. 2 bedroom units (Note: Dwelling Unit Labelled 2). One of the previous units (Note: Unit 6 for which particular concerns were raised by the Board in terms of qualitative and quantitative standard of residential amenity) has been omitted and in its place the applicant now proposes to provide an indoor bicycle parking area to serve the proposed development. In addition, the reduction in dwelling unit number was also achieved by amalgamating Units 2 and 3 in the original scheme proposed to form the now proposed 2 no. bedroom apartment, i.e. Unit 2. As part of the amendments now proposed to the residential component of the mixed-use development minor elevational changes have been made to the buildings to the rear mainly in the form of revised openings. These changes are clearly provided in a suite of amended architectural drawings and plans. There is also a detailed overview and planning assessment provided by the applicant's agents.
2. The revised scheme includes no amendments to the proposed office use within the Protected Structure of No.s 8 to 10 Oliver Plunkett Street as originally sought.

3. In response to the matter raised under Section 132 of the Planning & Development Acts, 2000, by the Board, remedial architectural drawings are included with these being prepared by Bluett & O'Donoghue Conservation Architects.

### **Circulation to Parties**

On the 23<sup>rd</sup> day of July, 2020, in accordance with Section 131 of the Planning and Development Act, 2000, (as amended), the further information received by the Board was circulated to the other parties in this appeal, i.e. the 3<sup>rd</sup> Party Appellant and the Planning Authority for their comments. The last date for which any submission or observation could be made to the Board was given as the 12<sup>th</sup> day of August, 2020.

### **Planning Authority Response**

No response received.

### **Appellants Response**

On the 4<sup>th</sup> day of August, 2020, the Board received a response from the 3<sup>rd</sup> Party Appellant which can be summarised as follows:

- I am not qualified to judge whether the revised plans meet specific planning requirements.
- There is nothing included in relation to the concerns raised in their appeal submission to the Board and their concern still is the requirement for 24-hour, 7 day a week ordinary and emergency access to the back entrance of their property through Downes Lane and their 'Right of Way'.
- Downes Lane is narrow with no parking facilities especially now that Westmeath County Council has considerable work done on the Part 8 Housing Development of four dwelling units which includes only 2 private car parking spaces on this lane.
- The revised plans do not deal with parking generated by residents or office staff of this development.

- The problem with the location of wheelie bins for refuse collection is not addressed.
- Both the Fire Service and Irish Water recommended that the Council refuse planning permission for reasons already stated in documents already provided in the appeal submission to the Board. The revised plans do not deal with these concerns.
- The appellant is in favour of accommodation being provided to encourage people to reside in Mullingar town centre, but this cannot be at the expense of others.
- This development could be disastrous if a vehicle or vehicles parked on Downes Lane or on their right-of-way prevented an ambulance or fire brigade having access to the properties on its southern end.
- The Board is requested to take on board their concerns together with those raised by the Fire Services and Irish Water.

On the basis of the further information submitted by the applicants on the 13<sup>th</sup> day of May, 2020, and having regard to the further submissions received, I would make the following comments:

- In relation to the residential component of this mixed-use scheme I consider that the revisions made by the applicant in their response to the Board are welcomed. In that they have given rise to both qualitative and quantitative architectural through to design improvements to the now reduced in dwelling unit number component of the scheme sought by way of this planning application which would give rise to improved residential amenities for future occupants.

I also consider that the amendments made are generally consistent with both local and national planning provisions but in particular the standards set out within the Section 28 Ministerial document titled: 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018', which I note the Board raised significant concerns in their further information request. Further, they are generally consistent with the local planning provisions for this settlement as provided for in the Mullingar Town Development Plan, 2014 to 2020, and by the overarching Westmeath County Development Plan, 2014 to 2020.

The revised scheme has essentially reduced the originally sought 8 no. dwelling units to 6. With these dwelling units to be provided within the building's footprint and envelope of structures to the rear of the proposed office use for the main 3-storey No. 8 to 10 Oliver Plunkett Street. With these comprising of a mixture of a historic 2-storey rear return, a 2-storey 1970s addition to the historic rear return and a separate historic coach house building. These structures all back onto the eastern boundary of the site with the 1970s addition roof structure appearing to encroach over this boundary onto an adjoining property.

The 6 dwelling units now proposed consist of 3 no. studio dwelling units (Note: Dwelling Units Labelled 1, 5 and 6); 2 no. 1 bedroom dwelling units (Note: Dwelling Units Labelled 3 and 4); and, 1 no. 2 bedroom units (Note: Dwelling Unit Labelled 2). These dwelling units have been designed to be consistent with the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018' and I am also cognisant that 50% of the scheme is studio units and that this is permissible under SPPR 2 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2018'. In addition, that SPPR 2 also places no restriction on dwelling mix on schemes like this due to the limited number of units proposed through to the site's limited area.

Notwithstanding, I note that Section 4.3.3 of the Quality Housing for Sustainable Communities - Design Guidelines, 2007, advocates that the provision of a mixture of dwelling type should be informed by the Local Authority Housing Strategy. To this end I note that the Mullingar Town Development Plan, 2014 to 2020, under Policy HT 1 seeks to ensure a mix and range of housing types. In particular they identify two-bedroom accommodation is needed to meet the diverse needs of residents of the town.

The revised scheme now provides 1 no. 2-bedroom dwelling unit which is a welcome improvement in terms of the mix and type of dwelling units now proposed under this mixed-use scheme.

Having regard to the following factors:

- The built heritage sensitivity of the site, the structures thereon and within its immediate urbanscape context.
- The tight grain nature of the surrounding urbanscape setting;
- The characteristics of this modest in area site which could be described as being long and narrow served to the rear with substandard access via Downes Lane;
- The overall built form of buildings which this application seeks to re-purpose in the form of providing multiple dwelling units served with a communal open space;
- Lack of car parking proposed for both the residential and commercial office space together with the high demand on publicly provided car parking in the vicinity of the site;
- The lack of clarity on the manner in which adequate residential and commercial waste storage would be provided and would be managed both on site and for collection with this giving rise to different assessment considerations subject to whether the mixed use scheme would be managed as a single unit, whether the dwelling units would be for short term let or long term let through to a mixture of both; and, whether any of the units would be for resale. With waste storage receptacles of properties including those accessed from Downes Lane currently obstructing access to where it meets Bishops Gate Street.
- The lack of access for the residential units onto Oliver Plunkett Street together with the number of properties dependent on access to the public road network via Downes Lane.

Arguably the inclusion of more than one 2-bedroom unit would lessen the overall impact and demands of the residential component together with the overall mixed use scheme on the built heritage sensitivity of the site and its setting through to the demands it would generate onto the substandard access lane which provides the sole connection to the public road network (Note: Downes Lane).

Of further concern the design and layout of the residential units puts forward dwelling units that are essentially single aspect in terms of daylighting and natural

ventilation. This together with the proximity and nature, scale as well as built form of buildings and boundaries on the perimeters of the western boundary diminish the levels of light and natural ventilation into the proposed units. It also diminishes the qualitative value of these open space amenity provisions to the front of these dwelling units which I acknowledge are not ungenerous in the context of this site. This is a concern for dwelling units labelled Unit 1, 2, 3 and 4. It is my view that the design of these units could have included more qualitative design solutions to maximise light and ventilation within these particular units and it was unnecessary to have maintained the 1970s ridge height with this particular building lending itself to a more light weight and contemporary approach in terms of its solid to void treatment. Thus, in this existing addition there was an opportunity to provide an of its time design approach and achieve a more harmonious light weight structure that could have achieved more qualitative internal residential amenities as well as added in a positive manner to the building layers present within the curtilage of this particular Protected Structure.

Outside of these concerns I consider that providing a viable new use for No.s 8 to 10 Oliver Plunkett Street and the buildings within its curtilage would, subject to safeguards, safeguard this historic building into the future.

It would also bring further revitalisation and vibrancy into the heart of Mullingar town, a town that is well served by a wide variety of amenities, services, facilities through to is served by different modes of public transport all that would benefit being in easy reach of future occupants of the dwelling units proposed as well as those working and visiting the proposed office space. I therefore consider that the revised residential scheme put forward is generally acceptable.

- In relation to the revised architectural drawings which show the full detailing (both external and internal) of the protected structure, including accurate detailing of the historic fabric to be kept and any changes to historic built fabric proposed, all to ensure a consistency between these drawings and the description as set out in the Architectural Heritage Impact Assessment, as lodged with the planning application I still have similar concerns to those raised in my initial report.



In particular with regards to the inconsistency in detailing the principal façade of No.s 8 to 10 Oliver Plunkett Street which still are not fully resolved in the applicant's further information response.

In this regard I raise particular concern with regards to the reinstatement of the ten over ten timber window to the east of the ground floor with the drawings indicating that this is a metal window and the drawings exclude the elaborately detailed metal sill guard when the latter is one of this buildings acknowledged built fabric layers of merit as well as the fact that this ten over ten window I observed to be timber and not metal. It would greatly diminish the visual contribution of this building in its streetscape scene if this window and its component parts are not reinstated in a sensitive and respectful manner or for features like the elaborately decorative metal sill guard to be lost.

Further, there is a lack of clarity on the level of glazing intervention proposed for this modest window frame that would appear not lend itself to accommodating double glazing. There is also no consideration given towards safeguarding surviving built fabric of this window by sensitive repair and refurbishment with for example secondary glazing to be provided inside in accordance with best conservation practices for this type of historic building.

Therefore, the indicated repairs of this window put forward in this application is in my view still unclear and ambiguous. I do not consider this lack of clarity acceptable in dealing with a Protected Structure like this with this building's frontage contributing positively to the architectural character and intrinsic character of the streetscape scene it forms part of.

I also raise concerns in relation to the window openings on the first and second floor levels.

For example, the drawings depicting the existing frontage indicate that the 2<sup>nd</sup> floor windows are timber sash two over two windows which in the proposed drawings the applicant seeks to: 'refurbish, to be repaired and upgraded with

double glazing'. The outcome would be a two over two timber sash windows with upgraded double glazing.

In terms of the existing windows at second floor level I observed that these are one over one timber sash windows and there has been no sufficient justification provided as to why they are being changed from this to two over two timber sash windows and what level of impact this would have on their surviving built fabric.

I also raise it as a concern that it is not detailed how the existing windows frame could accommodate double glazing and why is this concluded as the most appropriate approach for this Protected Structure when the provision of double glazing would have been better accommodated, in my view, in a sensitively designed manner set back inside this window opening.

Of further concern while I acknowledge that the 1<sup>st</sup> floor windows are not of any historic built fabric merit and are not respective of the character of this period property due to them being PVC in their frame with modern glass inserts. They are also one over one in terms of their glazing pattern. The proposed revisions include the reinstatement of timber sash windows to historic detail also including double glazing upgrade. The glazing detailing matches that of the proposed 2<sup>nd</sup> floor windows, i.e. two over two windows. In relation to this concern, in my view it would be more appropriate that the windows should be reinstated as one over one timber sash windows matching the detailing of the 2<sup>nd</sup> floor windows as insufficient justification has been provided to do otherwise.

I also raise it as a concern that the early twentieth century shopfront is not fully detailed in the submitted architectural drawings in terms of all of its component details. I therefore consider in the absence of this details that there is a potential risk of built fabric of merit being lost by the development works proposed. This I consider is a cause of concern considering that this shopfront in its totality including its interior components is recognised as built fabric of merit present within this Protected Structure in the NIAH survey.

I also note that the revised drawings submitted as part of the applicant's further information do not provide any clarity on the level of wiring clutter and the other attachments that have diminished the appreciation of this Protected Structure from the public domain of Oliver Plunkett Street. There is an opportunity to address this under this application as well as other items that have been attached to the front of No. 8 to 10 Oliver Plunkett Street and that detract from its visual contribution to this stretch of Oliver Plunkett Street but also detracts from the appreciation of this building from the public domain. Considering that none of these are indicated for retention in the submitted drawings. These façade improvements could be done by way of an appropriately worded condition should the Board be minded to grant permission.

Given that No.s 8 to 10 Oliver Plunkett Street is a Protected Structure of significant built heritage merit in the settlement of Mullingar, with it dating back to the mid-eighteenth century, and therefore being one of the earliest buildings within it. In addition, it forms part of a number of adjoining and neighbouring buildings to the west that form an interesting set piece of mid eighteenth century townhouses and other period buildings that front onto Oliver Plunkett Street, I am therefore not satisfied that the applicant's response to this matter addresses the Boards concerns. I am of the view that no works should be permitted to No.s 8 to 10 Oliver Plunkett Street until such a time as accurately detailed existing and structure sensitive principal facades are provided for consideration.

The Board may consider an appropriately worded condition could rectify this particular concern should they be minded to grant planning permission for the proposed development as now revised.

- In relation to the concerns expressed by the appellant in their submission responding to the applicant's further information response. I consider that I have dealt with their substantive concerns in my previous report.

Notwithstanding, having regard to the deficiencies of Downes Lane together with what I observed on the day of my inspection of the site and its setting. In particular

that this lane was obstructed at its intersection with Bishops Gate Street by way of several waste storage bins. It was also obstructed by vehicles associated with the construction of the social housing units referred to by the appellant in their appeal submission to the Board. This is together with its substandard width and not suitable to accommodate two-way traffic; the restricted vision splays at its intersection onto Bishops Gate Street; the significant number of properties that it served along its length with many of these having restricted views onto it; through to it was poorly surfaced and uneven in its horizontal alignment.

It is therefore not unreasonable in my view that the appellant is worried that their right of way and vehicle access to their property could be diminished as well as obstructed going forward as the intensity of use of this lane increased by way of developments along it.

However, the applicant does not propose any car parking provisions on site for future occupants and users of this mixed-use building. There is space within the site for any construction vehicle movement to be managed without giving rise to any significant obstruction of the laneway during the construction phases and it would be reasonable that the contractors would make appropriate arrangements to park where no obstruction would occur within the public and privately available car parking options available within easy walking distance of the site. A condition requiring a Construction Management Plan would be appropriate at such a restricted and poorly accessed via the public domain site.

The reduction in number further to five units from the now proposed six for example is another option to lessen the potential impact this development would have on its setting whether that would be in the slight reduction in car parking would generate through to a reduction in the overall waste storage provision on and off site through to the level of car parking the development would generate once operational.

- In relation to the other concern raised by the appellant in terms of Irish Water this matter has been dealt with in my initial assessment of the proposed development.

Moreover, the reduction in dwelling units and the slight reduction in bedspaces would not give rise to additional demands on public mains water and drainage.

- In conclusion, having reviewed and assessed the further submissions, I would recommend that the Board grant permission for the revised development as follows:

### **Reasons and Considerations**

Having regard to the built heritage significant of No.s 8 to 10 Oliver Plunkett Street, a Protected Structure, it is generally recognised that safeguarding such buildings for future appreciation and maintaining their built fabric integrity requires these buildings to have sympathetic viable economic uses. This building is and has been vacant for some time. In its vacant state together with its poor state of upkeep this building makes it vulnerable to loss of its built fabric of merit alongside diminishing its visual contribution to the streetscape scene of Oliver Plunkett Street. In addition, having regard to the nature, scale and location of the proposed development as revised which consists of a mixture of dwelling units and office space, the appropriateness of these uses for the site and its setting which is zoned for 'mixed uses' under the Mullingar Town Development Plan, 2014 to 2020, together with the pattern of development characterising this building and its urbanscape setting, it is considered that subject to compliance with the conditions set out below, that the proposed development would not detract from the intrinsic character, the setting or the special interest of this Protected Structure or indeed other Protected Structures within its immediate setting. Moreover, the proposed development would be acceptable in terms of traffic safety as well as convenience and it would not give rise to any serious injury to the amenities of property in the vicinity nor would it diminish the visual amenities of its setting. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 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 8<sup>th</sup> day of August, 2019, 23<sup>rd</sup> day of September, 2019, and by the further plans and particulars received by An Bord Pleanála on the 13<sup>th</sup> day of May, 2020, 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. All works to the Protected Structure shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

**Reason:** To ensure that the proposed works are carried out in accordance with best conservation practice.

3. Prior to commencement of works, the developer shall make an up to date record of the existing protected structure. This record shall include:

(a) A full set of survey drawings to a scale of not less than [1:50] to include elevations, plans and sections of the structure, and

(b) A detailed, labelled photographic survey of all internal rooms (including all important fixtures and fittings) and the exterior and the curtilage of the building.

This record shall be submitted to the planning authority prior to commencement of development and one copy of this record and a full set of drawings of the proposed works to the protected structure shall be submitted to the Irish Architectural Archive.

This record shall be accompanied by a detailed and accurate representation of all proposed changes to the principal façade including the window openings, the shopfront, consolidation of external wiring and attachments.

**Reason:** In order to establish a record of this Protected Structure and in the interest of clarity of the scope of works to this Protected Structure.

4. The proposed works to the existing historic fabric of the coach house and boundary walls shall be carried out under the direction of an architect with specialist expertise in historic building conservation and in accordance with best conservation practice as recommended in the Architectural Heritage Protection Guidelines for Planning Authorities issued by The Department of the Arts, Heritage and the Gaeltacht in 2011. A conservation method statement appropriate for the works to the existing historic fabric of the boundary wall shall be submitted to, and agreed in writing with, the planning authority prior to commencement.

**Reason:** In the interest of clarity, and to ensure the protection of the historic fabric, character, integrity, and special interest of features within the curtilage of the site.

5. The proposed development shall be amended as follows:
  - (a) The two dwelling units within the coach house building shall be amalgamated into one dwelling unit.
  - (b) The western and northern elevation of the 1970s rear addition shall be amended to achieve a more qualitative design response to its setting. It is advised that this could be achieved by either revising these elevations to a light weight contemporary finish or alternatively revising these elevations so that the window and door openings achieve more balanced harmony and respect with the materials, finishes and treatments proposed for the historic rear return of the Protected Structure, the Protected Structure itself and the historic coach house building.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual amenity, in the interest of residential amenity and in terms of achieving appropriate development within the curtilage of a Protected Structure.

6. The window openings on the eastern elevation of Unit 1 shall be permanently maintained in opaque glazing.

**Reason:** In the interest of residential amenity.

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

**Reason:** In the interest of visual amenity.

8. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

9. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

**Reason:** In the interest of public health.

10. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interest of visual amenity.

11. (i) Details of external shopfront and associated signage shall be submitted to and subject to the written agreement of the Planning Authority prior to commencement of development.

(ii) No other signage, advertising structures/advertisements, security shutters, or projecting elements, including flagpoles, shall be erected within the site unless authorised by a further grant of planning permission

**Reason:** In the interest of the amenities of the area/visual amenity.

12. The area of public open space shown on the lodged plans shall be reserved for such use and shall be landscaped in accordance with the detailed requirements of the planning authority which shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of any works on site. The



landscaping works shall be completed before any of the dwelling units are made available for occupation and shall be maintained as communal open space for the occupants use.

**Reason:** In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

13. A plan containing details for the management of waste for the dwelling units and the proposed office space within the development, including the provision of adequate facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing management of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

14. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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.

15. 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, traffic management onto Downes Lane, noise management measures, dust management measures, vibration management measures, off-site disposal of construction/demolition waste, measures to prevent the spillage or deposit of clay, rubble or other debris on Downes Lane and the public road, location of the site and materials compound(s) including area(s) identified for the storage of construction

refuse; location of construction site office and staff facilities, if any; through to details of site security fencing and hoardings.

**Reason:** In the interests of public safety, orderly development, and residential amenity.

**Include Conditions No.s 1, 2, 3, 8 and 9 of the Planning Authority's notification to grant planning permission (P.A. Ref No. 19/6144).**

**Attach Advisory Note Section 34(13) of the Planning & Development Act, 2000, as amended, as a precaution. This section of the said Act states that the granting of permission does not entitle a person to carry out development and covers the eventuality that the development cannot be implemented for legal reasons.**

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**Patricia-Marie Young**  
**Planning Inspector**

**18<sup>th</sup> September, 2020.**