



An
Bord
Pleanála

Inspector's Report ABP-305870-19

Development	House
Location	Hillside, Westport, Co. Mayo
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	1945
Applicant(s)	Tia Crowley and Michael Horan
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Stephen and Eileen Rice
Observer(s)	None
Date of Site Inspection	16 th January 2020.
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The site of .0219 hectares is fully serviced and located within the development urban area of Westport town. It is on an elevated site on the north side of Hillside a residential one-way street between Peter Street and Quay Street. The plot appears to form part of an original deeper plot fronting Quay Street although a history of separate ownership is clarified by the applicant. It has an 8.8 m frontage along Hillside and extends to a depth of approximately almost 25 metres at its deepest. It is rectangular in shape but slightly skewed westwards towards the rear of the site.
- 1.2. The site is adjoined on each side by a detached house (one is a traditional gable ended two storey and the other to the east is a single storey bungalow with a hipped roof and a flat roof extension to the side which has two windows facing the boundary in close proximity. It backs onto the rear of a dwelling on Quay street that is under construction works and there is no formal boundary wall – just a temporary fence . Houses on Peter street also back on the eastern side of the site to its rear
- 1.3. The site slopes down from the street (from about 36.5m to below 34m OD) and is flanked by mature boundaries – a mix of a stone wall predominantly along the east and mature vegetation including mature evergreens along the west. A gated cut-stone archway marks the site frontage. This is in the form of a keystone arch mounted on a pair of tall gate piers which also support a lower pier-ended matching wall on each side. It is a distinctive feature in the streetscape. The stone walling extends along the adjacent site frontage. Stone facing features in new and old buildings along the street.
- 1.4. There is on street parking directly along the gated site frontage. This is controlled by a disc parking system.

2.0 Proposed Development

- 2.1. The design brief is explained as designing a three-bed family home while addressing the challenges of the site and streetscape.
- 2.2. The stone arch and wall are described as being late 20th century and of no heritage value and are proposed to be demolished.

- 2.3. It is proposed to construct a two-storey house with a footprint of 124 sq.m. and floor area of 192 sq.m. constituting 56.6% site coverage and plot ratio is 88%. (This has revised down from 211 sq.m. in the application form) In revised and clarified plans the proposal is modified by way of a modest reduction in the massing by reducing the depth of the house by about 1m. The levels are described as lower ground floor and upper ground floor.
- 2.4. Building lines: It is proposed to demolish the stone arch and associated supporting piers and walls and to replace with a contemporary square arch and wall up to 2.2m in height above the footpath. This incorporates a 4.5m wide vehicular access and doorway in the wall. The house is proposed at a setback from the street of around 6m with provision for two car park space in a front courtyard. A bicycle shed (4sq.m) and bin store abut the front boundary.
- 2.5. The house extends 22.5m into the plot from the street frontage and in revised plans is reduced in depth by increasing the set back to 2m from the rear boundary.
- 2.6. The house abuts the western boundary with the exception of a 4.5m deep courtyard overlooked on three sides by 5 windows.
- 2.7. The layout provides a living room, an open plan kitchen/dining/living area, an office , storage and wc at upper ground level and two bedrooms with large utility room and linen/hot presses at the lower ground level.
- 2.8. The design is contemporary incorporating a series of block elements and stepped roof profile which ranges in a finished height of 39.7m OD (living room to the rear) to 41.2m over the bedroom to the front.
- 2.9. In a Design Statement Planning Report the rational for the proposed infill development is explained by reference to the National Planning Framework and Urban Development and Building Height Guidelines for Planning Authorities . These are quoted in support of the infill development in its contribution to creating compact urban form. Photomontages are included in this document (lodged with the application in January 2019). The site is stated to be outside the Westport Town Architectural Conservation Area.

3.0 Planning Authority Decision

3.1. Decision

Following a request for further information and clarification of information which included the revision of public notices the planning authority issued notification of a decision to grant permission for a marginally reduced house than proposed and subject to the following conditions:

Condition 1 refers to plans

Condition 2 specifies materials

Condition 3 specifies floor levels as submitted

Conditions 4 and 5 refer to utilities

Condition 6 refers to construction works

Condition 7 refers to section 48 contribution

3.2. Planning Authority Reports

3.2.1. Planning Reports

- In its initial appraisal the planning authority requested information regarding
 - Sightlines
 - Overall space and massing when viewed from adjacent rear gardens
 - Overlooking
 - Private open space which would not be less than 100 sq.m. for 3+ bedroom house and to the rear of the front building line.
 - Separation distance of 1.5m between dwellings

- Further information was lodged on 12th August 2019:
 - Revisions plans include an increased set back from the rear boundary and omission of north facing window in the family room.

- The house is a two-bedroom unit is argued to have sufficient private space which includes an entrance courtyard.
- The house will knit the disparate streetscape.
- The 3m is not entirely applicable given the absence of overlooking windows and urban infill context.
- Sightlines are adequate.
- The planning authority invited further submissions to address the potential for overlooking and the roof massing and set back.
- In further modified plans lodged on 17th September the roof void over the family area to the back of the dwelling is modified and set back 2m from the western boundary.
 - It is explained that a solid brick wall will eliminate overlooking from a seated position and significantly reduce overlooking from a standing position.
 - The roof voids are stated to be 5m and 7m above ground but the same height measured in metres OD. These voids have been revised by being more centred.
- In its appraisal the planning authority notes that the set back is forward of the adjacent rear building lines and is therefore acceptable. It is also considered that the height is not disproportionate.

3.2.2. Other Technical Reports

Engineer's report: Further information required regarding sightlines from the entrance along a local secondary route where the 50kph speed limit applies. Section 16.3 of the development plan applies.

3.3. Prescribed Bodies

TII: No observations

3.4. Third Party Observation

- 3.4.1. A letter of objection from the neighbouring residents (Rice) raising concerns regarding overshadowing, traffic safety, loss of stone arch feature, no regard for building lines and overall impact on amenity.

4.0 Planning History

PL84.209603 - Permission refused on appeal for a two-storey house for the stated reason:

Having regard to the pattern of development in the area and the restricted nature of the site, it is considered that the proposed development by reason of its height, bulk, scale and location on the site boundaries and the failure to address the retention of the attractive stone wall and arch feature on the front boundary, would constitute overdevelopment, would seriously injure the residential amenities of the adjoining dwellings, would give rise to overshadowing of the adjoining property to the west and would injure the visual amenities of the streetscape. Furthermore the proposed vehicle entrance linking to the rear of the property on Quay Street would seriously injure the amenities of future occupants of the proposed dwelling and of existing dwellings by reason of general disturbance. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

In this case the development comprised a two storey two bed house of 103 sq.m extending the width of the plot frontage with a 2.2m set back from east boundary and from the footpath. The house incorporated an archway providing vehicular access from the street to the rear of the property. The ridge height was 7.2m.

P19/545 Permission granted for two storey height extension to rear of no.9 The Quay which is about 20 from the rear boundary. Parapet height 34m OD

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is on the western periphery of the town centre zone close to the Westport House and Demesne boundary.
- 5.1.2. Map 1b Westport House and Demesne delineates zones within the Demesne and lands marked as South Wood in the submitted site location map are zoned as historic Core and relates to the southern section closest to the subject site.
- 5.1.3. The site borders the ACA which includes the terrace on the opposite side of the road and properties to the east along Peter Street.
- 5.1.4. Westport is noted as being rich in terms of its environment and heritage. The town is one of the few planned towns in Ireland. The town has a distinct and valuable urban design and visual quality and is generally regarded as one of the most important 'Heritage' towns in Ireland.

5.2. Natural Heritage Designations

The site just over one kilometre from Clew Bay Complex SAC site code 001482

5.3. EIA Screening

- 5.3.1. I am of the opinion that having regard to the redevelopment nature of the proposal and its overall scale and to the nature of the uses proposed and to the fact that it is proposed to connect to existing public water and drainage networks and that there is an absence of a clear pathway to European sites, 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 residents of the neighbouring dwelling object to the decision to grant permission on the following grounds:

- Contrary to precedent set by decision to refuse permission on appeal
- The proposed development would constitute incongruous intrusion in the traditional streetscape contrary to the provisions of the development plan guidance for infill development (section 5.2 volume 2)
- Visibility of the site from the town centre – (as show in figure 5 of the submission) an architectural heritage area. This matter has not been adequately addressed in terms of the wider views of the site and its impact on the sensitive surrounding area. (Reference to sections 7.1.1 and 7.1.9 of the development plan.)
- The demolition of the stone wall and archway and construction of a boundary wall with garage door and recessed dwelling frontage would be contrary to policy on building lines and boundaries. (Sections 14.4.1 and Section 7.3 refer.)
- A number of development plan policy extracts are cited in respect of infill development , layout, scale and design, overlooking, building lines, boundaries, private open space and access and parking

6.2. Applicant Response

- Disputes the architectural sensitivity : not in an ACA, a lot of modern development including the arched entrance in the site frontage. Letter of previous owner appended.
- Site dimensions are clarified.
- The site is easily assimilated into the town topography. There are mature trees in adjacent plots and the house will have minimal impact on the urban landscape. There is no clear building line on this side of the street.

- The Westport Town and Environs Development Plan 2010-16 as extended is the most applicable. Map 3 shows the site outside the ACA polices. TP01 and TP01 do not apply.
- 62 sqm. of private open space is appropriate for a 2-bed house
- As it is an infill site, housing estate standards are not fully applicable.
- The proposal will contribute to the visual amenity – it has been carefully designed and crafted to assimilate into its immediate urban surroundings. The highest part of the house is 2.6m lower than the terrace of houses on the opposite side of the street. 1.7m lower than the house to the west and 1m lower than the house to the east.
- The front courtyard is designed to be respectful of the street. There are no gates proposed – it is open to two cars.
- The proposal is different to that refused on appeal – it is now single storey above ground at street level. Attention is drawn to the design statement submitted with the application. Section 5 deals with privacy.
- The applicants are residents of the town for over 50 years and are fully cognisant of the town heritage. The design appraisal was guided by the council's senior executive architect.
- National guidelines and strategy encourage infill development.
- The glazing will not result in overlooking due to height, use and or opaqueness. The hallway glazing will be opaque. The rooflights in the void space are well above eye level.
- Shadow analysis demonstrates the development will not be overbearing.
- The window on the external east elevation is 5m wide and not 8m and is behind the rear boundary wall of the appellants' plot.
- Relocation of streetlight is outside planning permission scope.
- There is an existing vehicular entrance as evidenced by the gate. The onstreet car-parking/road marking is stated to be in error and is to be removed by the council.

- Photomontages of the view of the site from Peter Street are provided.
- A shadow analysis is appended to the response and this plots the shadows cast by the existing and proposed development . It concludes that the analysis demonstrates that there will be no significant increase in shadowing of adjoining residential properties. It is further pointed out that the shadow cast by existing trees and vegetation has not been factored in.

6.3. **Planning Authority Response**

No further comment

6.4. **Further Responses**

None

7.0 **Assessment**

7.1. **Issues**

- 7.1.1. This appeal relates to an infill site within the urban area of Westport. The applicant makes the case that the proposal in its contribution to a compact urban form and use of a serviced site is mandated by national planning policy and guidelines.
- 7.1.2. It is a serviced site surrounded by housing development and the principle of a single dwelling is acceptable in a strategic context, however the site topography, features and juxtaposition with adjacent properties present some design challenges that were unsuccessfully addressed in a previous case before the Board. The proposed design is now quite different . By way of comparison to that previously before the Board, the subject site is larger, the provision of a carriage way entrance with through vehicular access to the rear of no. 9 Quay street has been eliminated and the concept of a courtyard to the front with deeper building line has been introduced. It is also clarified that the existing arched entrance is a relatively new build and limited in its contribution to the streetscape heritage.
- 7.1.3. Having examined the appeal grounds, the submission on file and the site and its environs I consider the issue to centre on:
- Heritage

- Visual impact
- Residential amenity
- Standard of design
- Traffic
- Appropriate Assessment

7.2. Heritage and Visual Impact

- 7.2.1. In the first instance there are differing interpretations of the governing development plan policies between the parties. The main issue relates to the delineation of the Architectural Conservation Area and consequent processes. I concur with the applicant that the site borders an ACA but nevertheless consider the juxtaposition with the designated area to be contextually relevant.
- 7.2.2. It is further argued by the applicant that retention of the archway is of no value and does not need to be retained and this is confirmed by way of correspondence from the previous owner who states that it had been built in the 1980s with stone from Roadstone and not even salvaged material. There is no historic account of the origins of the access other than its attachment to Quay Street.
- 7.2.3. While it seems evident that the materials and construction of the arched structure are not in themselves of heritage value, the historic plots and boundaries and linkages are of relevance. While I accept the site is not in an ACA, I note that the building height guidelines, on which the applicant relies to justify the infill proposal, defer to good planning practice such as preservation of features of Architectural Heritage in aligning to best practice. Planning Authorities are advised to reference *Architectural Heritage Protection – Guidelines for Planning Authorities (DEHLG)* and *Shaping the Future – Case Studies in Adaptation and Reuse in Historic Urban Environments (DAHG) 2012*. Section 3.3.4 of these guidelines outlines considerations for determining Historical interest and refers to the plan of plots, boundaries and streets in towns and cities containing a record of past urban life. In this context the reinterpretation of a vehicular access and low-key development as viewed from the street makes sense of the historic setting.
- 7.2.4. The other advantages of retaining a vehicular entrance and recessed dwelling are; the potential to minimise impact on the gable end windows facing the site, the

provision of south facing amenity space and southerly light penetration through a larger scaled window and the provision for off street parking.

- 7.2.5. On the other hand the removal of the stone arch, piers and walling will fragment the streetscape. The provision of a 5m wide vehicular entrance and lowering of the arch head height and replacement with a light weight comparatively low and horizontal structure will result in a large expansive gap (it is clarified that no gates are proposed), and a suburban style frontage. There is a strong case to be made that removal of the arch presents an opportunity to define and strengthen the streetscape and to enhance the urban character. This approach in the previous proposal which incorporated rear vehicular access (to Quay st.) was however refused on grounds of overdevelopment and loss of stone arch.
- 7.2.6. On balance I consider the overriding consideration in terms of the streetscape setting is about the quality of architectural design and sensitive use of materials and in this way the heritage of the town is respected.
- 7.2.7. In itself the design appears to be a considered cohesive unit that, while distinctly modern, it is unobtrusive in scale in the streetscape. It will provide visual interest while also being respectful of the residential scaled houses and plots subject to design detail. However, the boundary treatment incorporating a 5m wide opening (more than half the site frontage) excluding the pedestrian gate will result in a large gap. The use of this space for side by side car parking of two cars further emphasises the more suburban character of the proposed site layout. In my judgement the entrance should be narrowed to somewhere in the order of 3.2m with a more solidified remaining frontage although maintaining transparency. This could be done for example, by use of railing and gates and low and high walls or even just a slight raising of the squared head to articulate the (narrowed) entrance which would also strengthen the streetscape and give verticality (in keeping with traditional carriage entrances). The entrance could be narrowed by inserting a column and 1m high plinth wall with the effect of a window onto the street- so as to enclose the street while providing visual interest and passive surveillance. Landscaping and materials are also critical in making this a positive contribution to both the streetscape and in providing amenity space for the house. By providing only one car space would enhance this and in this regard, the position of the entrance to one side could help retain the some of the on-street parking otherwise lost alongside the

frontage. This matter could be addressed by condition and subject to further agreement. Otherwise the Board may consider the retention of the existing archway pending permission for a more appropriately designed frontage.

- 7.2.8. In terms of the wider impact on the architectural heritage and historic town setting of the town core particularly as viewed from the Octagon 200m away, I do not consider the inclusion of a structure of the scale proposed to be generally objectionable. The existing surrounding development is sufficiently robust to absorb of the height and form as viewed from a distance and would not be duly incongruous.

7.3. Impact on residential amenity

House to East – appellant's property

- 7.3.1. The appellants are primarily concerned about the loss of light into their dwelling and overbearing impact. They are also concerned about overlooking. There are two windows in the west elevation of the appellants' house that they are particularly concerned about.
- 7.3.2. The applicant explains in the design statement and subsequent submissions that account was taken of neighbouring windows and the need to minimise impact. This is stated to be achieved by the setting back of the house from the street and also by setting back from the eastern boundary which would result in a 3m separation distance. The shadow analysis also demonstrates how the proposed site layout and massing will result in minimal impact on the light penetration to the windows to the side .
- 7.3.3. I note that the site location ordnance survey maps show a skew in the rectangular delineation and that this is not evident in the more detailed plans. In the event of permission the provision of the set back from the eastern boundary should be conditioned to be retained at the distance shown on the drawings.
- 7.3.4. The applicant further explains that the height of the houses does not exceed that of the neighbouring bungalow and the use of 'pop-ups' reduces the scale and massing as viewed from the rear/side. This is further achieved by a reduction in the bulk and set back from the boundary in the revised plans.
- 7.3.5. I note in this regard the proposal extends deeply into the site and while I accept that it is not higher than the bungalow the slope on the ground dropping by about 2

metres means that the maintenance of the height (as measured in Metre OD) would result in a structure rising about 3m above the boundary with an additional stepping up in height due to the raised roof lanterns/roof voids over the living areas.

- 7.3.6. I do however note that the bungalow is slightly elevated and on a wide site of about 20m which fans further out to the rear on the western side and accordingly enjoys an open aspect to the rear. The proposal, while deep would be angled away and alongside a mature boundary. The mature growth would soften the visual impact. The design extends deep into the site. The modelling and massing are stated to have been influenced by both the need to get light penetration into the lower ground while also reducing the potential for overshadowing. In the FI response it is stated that the sections illustrate the height variance and that the western side of the proposed dwelling matches the height of the house to west and similarly the height is stepped down to the house to the east. While I accept the site constraints and that the proposed massing reduces the impacts of the house, I accept that the scale and extent and the relationship with adjacent houses is of understandable concern to the neighbours. A modest reduction in the more rear roof light would better assimilate the development and step the roof profile down in keeping with the natural topography.

House to the west

- 7.3.7. The house to the west is on slightly lower ground with a finished floor level of 36.345mOD and apex of almost 43mOD and this is set back 3.1m off the party boundary which is marked by mature evergreens that provide only glimpsed views of the gable window. The proposed boundary treatment is such that the front garden wall will rise to 38.655m OD with the proposed house rising to 41.2m OD for a depth of about 2.85m beyond the adjacent rear building line which is not unreasonable. While I note the proposed gable wall along the boundary extends deeply into the site and at considerable height above the boundary wall and existing ground level, I am satisfied that the massing and modelling mitigates any overbearing aspects. I also note that there are mature trees along the boundary and that the existing shed acts as a buffer. I also consider that overlooking due to oblique angles of living room windows would be minimal. Obscure glazing could be used to further minimise impacts from the secondary/utility rooms.

- 7.3.8. Agreement has been made with the property owner to the rear and it is stated that that owner is satisfied with the changes. In this regard I note that the design is stated to promote privacy and that as a further measure to protect privacy of the Quay Road properties, the revised plans omit the north facing family window.
- 7.3.9. The double height extending deep into the site and to the west of residential property has the potential to be quite overbearing. The board could give consideration to increasing the set back, further reducing the massing to the rear and possibly stepping forward to the street although this could have implications for the neighbouring windows and off-street parking.
- 7.3.10. The stepping forward of the building line at this level to the front would allow for example the lounge to the front to be extended forward towards the street and the office and possibly the wc could be relocated and allow the proposed living kitchen dining designated area to be reduced or reconfigured. The proposed stepped rear building line could be maintained. The kitchen area could be relocated to the office and the dining area to the living area and be partially around the lightwell area and so on. Details of balcony, boundaries and possibly inaccessible roof areas at the boundary would need to be subject to further agreement. On balance however such alterations should be subject to third party engagement.

7.4. Open space

- 7.4.1. The overall open space is in the order of 65sq.m. and this is made up of the balcony terrace to the rear, a courtyard/lightwell in the centre of the house and forecourt at entrance. There is also a residual passage and 2m yard to the rear which will be quite overshadowed but could be landscaped for aspect and also be utilitarian in use. Bikes could be stored in this area. This would free up the sunny area to the front for more amenity uses in conjunction with a reduced parking area.

7.5. Traffic

- 7.5.1. The proposal relates to a site with an existing vehicular entrance and there is an opportunity to improve safety. I do not consider the provision of domestic parking to constitute a traffic hazard. I note that the planning authority is also satisfied in this regard. It is regrettable that on street parking could be lost however the narrowing of the entrance and relocation of the existing entrance westwards in this town centre

site may provide for retention of some of the on-street parking which would be better for the residents of the street. This could be subject to further agreement.

7.6. Appropriate Assessment

- 7.6.1. Having regard to the nature and scale of the proposed development in a serviced urban site and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted for the proposed development.

9.0 Reasons and Considerations

Having regard to the existing pattern of development, the sloping nature of site and its location adjacent to an Architectural Conservation Area and the approximate date of construction of the stone arch which the Board accepts as not being of historic architectural merit and also having regard to the nature, scale and design of the proposed development, it is considered that the proposed development subject to conditions would not detract from the character of the area or environs of an Architectural Conservation Area and would not seriously injure the amenities of property in 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 as amended by the further plans and particulars submitted on the 12th day of August 2019 and 17th day of September 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree

such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

(a) The rooflight/high level roof over the kitchen /living area to the rear shall be lowered by 350mm

(b) The bicycle shed in the front shall be omitted.

(c) The vehicular entrance shall be narrowed to 3.2m in width and replaced with boundary treatment that is visually permeable (such as railing or opening/s) and also rising to a height no higher than the arch to give enclosure to the street. The vehicular access may be articulated by an approximate 200mm step in height

(d) The glazing to the hallway /stairwell in the eastern elevation shall be opaque up to 1.8m above finished floor levels directly below windows.

(e) The front courtyard shall be designed as an amenity space with provision for only one car parking space.

(f) The proposed dwelling shall be set back 1.050m for its entire depth from the eastern boundary walls on the ground. Accurately surveyed drawings including details of this boundary shall be submitted prior to commencement of development.

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 and residential amenity.

3. A comprehensive boundary treatment and landscaping scheme, including the balcony area shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of privacy and visual amenity.

4. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional development including, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or associated equipment, shall take place above roof level other than as indicated on the submitted drawings unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. 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.

Reason: In the interest of public health and to ensure a proper standard of development.

6. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

7. 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.

Reason: In the interest of sustainable waste management.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Suzanne Kehely

Senior Planning Inspector

6th May 2020