



An  
Bord  
Pleanála

## Inspector's Report 305999-19

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<b>Development</b>	Completion of 7 no. partially constructed dwellings
<b>Location</b>	The Beeches, Navenny, Ballybofey, Co. Donegal
<b>Planning Authority</b>	Donegal County Council
<b>Planning Authority Reg. Ref.</b>	18/51989
<b>Applicant(s)</b>	Longmarsh Developments Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission subject to conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Emer Murray & Others
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	17 <sup>th</sup> February 2020
<b>Inspector</b>	Louise Treacy

## 1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.6388 ha and is located within The Beeches residential estate, Navenny, Ballybofey, Co. Donegal. The site is characterised by 7 no. unfinished dwellings (nos. 119, 120, 127, 128, 129, 130 and 131) and their attendant plots. Dwelling nos. 119-120, 128-29 and 130-131 comprise two-storey, semi-detached pairs, the outer walls of which have been completed to first-floor level. Dwelling no. 127 is a detached, two-storey dwelling which has largely been completed to second-floor level.
- 1.2. The application site forms part of a residential cul-de-sac which includes an additional 14 no. 2-storey, semi-detached dwellings which are substantially complete and unoccupied. The internal access road and hard and soft landscaping within the cul-de-sac have not been completed. The overall site is overgrown and uneven and was enclosed by way of security fencing at the time of the site inspection.
- 1.3. The remainder of the wider residential estate is characterised by a mix of detached and semi-detached dwellings which are occupied. Parts of the primary access road within the estate were noted to be in a poor state of repair.

## 2.0 Proposed Development

- 2.1. The development comprises the completion of 7 no. partially constructed dwellings on site nos. 119, 120, 127, 128, 129, 130 and 131 previously granted planning permission under reg. ref. 03/8310 and extended under reg. ref. 12/50460, together with all associated site works.
- 2.2. Dwelling nos. 119, 120, 130 and 131 are house type C-1, being 4-bedroom, semi-detached units of 127.37 m<sup>2</sup>. Dwelling nos. 128 and 129 are house type C-2, comprising 3-bedroom semi-detached units of 110.87 m<sup>2</sup>, with a garage at the ground floor level. Dwelling no. 127 is a 5-bedroom, two-storey detached unit of 161.36 m<sup>2</sup>.
- 2.3. The layout and design of the 7 no. dwellings reflects that which was proposed under the parent application reg. ref. 03/8310.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Notification of the Decision to Grant Planning Permission issued on 1<sup>st</sup> November 2019 subject to 20 no. conditions.
- 3.1.2. Condition no. 1 requires the development to be carried out in accordance with revised site layout no. C1905 (sheets 2 and 3) as received by the Planning Authority on 9<sup>th</sup> October 2019.
- 3.1.3. Condition no. 2 requires all associated construction vehicle access and haulage routes to be via the L-2864-2 to the circuitous right of way laneway behind/south of The Beeches housing development.
- 3.1.4. Condition no. 3 (b) requires the entire estate service road within the development to be completed with a final wearing course to the required standards prior to the first occupation of any of the dwellings.
- 3.1.5. Condition no. 20 requires the payment of a bond, cash deposit or other security to the planning authority to ensure the satisfactory completion of the development.
- 3.1.6. All other conditions are generally standard in nature.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports (20<sup>th</sup> February 2019 and 29<sup>th</sup> October 2019)**

#### **3.2.2. Further Information was requested in relation to 3 no. items including:**

(1) A Site Resolution Plan which addresses all deficiencies in the existing services for the entire residential estate, including:

(a) a full set of “as built” drawings of the entire estate and wayleaves for any services not located on common areas;

(b) a camera survey of all underground services, manhole surveys and an accompanying schedule of required rehabilitation works to these services; and

(c) completion of all road infrastructure serving the estate.

The Site Resolution Plan is to provide defined time-lines for the completion of all proposed remedial works within The Beeches estate.

(2) Confirmation that adequate land is set aside for proposed childcare facilities within the development as conditioned under planning reg. ref. 03/8310;

(3) Drainage calculations in accordance with TII DN-DNG-03066 (NRA HA 33/15).

3.2.3. The applicant submitted a Further Information response on 8<sup>th</sup> October 2019 which included: (1) digital topographical survey drawings of the overall estate; (2) a manhole schedule for the estate; (3) inspection reports in relation to storm water and foul drainage infrastructure, and (4) a schedule of works and associated costings for the laying of tarmacadam and associated works.

3.2.4. The response also included confirmation that the applicant is prepared to carry out, manage and complete the outstanding works that will address all outstanding deficiencies in the entire estate, subject to a detailed resolution plan being agreed with Donegal County Council that will see the utilisation of performance bonds held in relation to the estate, together with assistance from the planning authority on unfinished estates.

3.2.5. Unsolicited further information was submitted by the applicant's agent on 30<sup>th</sup> October 2019 which confirmed that planning permission was granted for a crèche facility on site no. 187 under planning authority reg. ref. 07/60737. While this permission has now expired, the site remains available for development subject to a new planning permission. It was also noted that the site is served by existing crèche facilities within 1.5km of the development.

3.2.6. Following an assessment of the further information response, Donegal County Council's Planning Officer recommended that planning permission be granted for the proposed development as per the Notification of the Decision to Grant Permission.

3.2.7. **Other Technical Reports**

3.2.8. **Road Design Department (30<sup>th</sup> January 2019)**

3.2.9. Notes that the conditions of previous planning application reg. ref. 03/8310 are to be implemented. Applicant to submit drainage design calculations.

3.2.10. **Fire Service Section (21<sup>st</sup> January 2019)**

3.2.11. Notes that the means of escape from the ground floor bedrooms in house types C1 and D are inadequate due to the inner room arrangement.

3.2.12. I note that this matter is not a planning consideration and will be dealt with separately under Building Control Regulations.

3.2.13. **Engineering Department (22<sup>nd</sup> October 2019)**

3.2.14. Recommendations include:

(1) All defects identified in the CCTV camera survey and report and manhole surveys for all services to be repaired to the satisfaction of the Water Services Department as part of a Site Resolution Plan;

(2) Schedule of works, including costings, to complete the outstanding deficiencies in the estate to be provided;

(3) The Site Resolution Plan should set out a timeframe for all required works, so that these works, excluding the surfacing of the main road through the estate if it is to be used for construction traffic, are completed prior to the commencement of the houses.

3.3. **Prescribed Bodies**

3.3.1. **Irish Water (Further Information Report 22<sup>nd</sup> October 2019)**

3.3.2. Notes that there is a current capacity constraint in the waste-water treatment facility servicing the proposed development. Capital upgrades will be required to the facility to cater for the development and the developer is advised to enter into a connection agreement which will outline the costs associated with these capital upgrades, as well as the cost of facilitating the connection.

3.3.3. All other requirements are generally standard in nature.

3.4. **Third Party Observations**

3.4.1. 1 no. third party submission was made by the appellant. The points raised therein reflect that of the appeal submission.

## 4.0 Planning History

- 4.1.1. **Planning Authority Reg. Ref. 99/2722:** Planning permission granted on 9<sup>th</sup> March 2000 for the carrying out of site development works and the construction of 130 no. housing units consisting of 62 no. detached houses, 52 no. semi-detached houses and 16 no. 2-bedroom apartments.
- 4.1.2. **Planning Authority Reg. Ref. 03/8301:** Planning permission granted on 1<sup>st</sup> October 2004 for the construction of 71 no. 2-storey dwellings and associated site works.
- 4.1.3. **Planning Authority Reg. Ref. 09/60176:** Extension of duration of reg. ref. 03/8301 granted until 29<sup>th</sup> September 2012 for the construction of 71 no. 2-storey dwellings and associated site works.
- 4.1.4. **Planning Authority Reg. Ref. 12/40460:** Further extension of duration of reg. ref. 03/8301 granted until 29<sup>th</sup> September 2017 for the construction of 71 no. 2-storey dwellings and associated site works.

## 5.0 Policy and Context

### 5.1. Seven Strategic Towns Local Area Plan 2018-2014 (incl. Ballybofey-Stranorlar)

### 5.2. Zoning

- 5.2.1. The subject site is zoned as “Established Development” which has the objective “to conserve and enhance the quality and character of the area, to protect residential amenity and to allow for development appropriate to the sustainable growth of the settlement”.
- 5.2.2. Applications for planning permission will be considered in the context of their compliance with the zoning objective of the area and in the context of the objectives and policies of the County Development Plan and the LAP, as well as being in accordance with the proper planning and sustainable development of the area.
- 5.2.3. **Housing**
- 5.2.4. **Policy GEN-H-2:** It is the policy of the Council to consider proposals for multiple residential development (i.e. 2 or more units) on lands zoned ‘Primarily Residential’ and on specified ‘Opportunity Sites’ on the accompanying land use zoning maps (1-7) and also to consider proposals for residential development on lands within the

defined town centres and “Established Development” areas, subject to compliance with the specific policies for each individual settlement and with all other relevant policies of the LAP, compliance with the Habitats Directive and all other material planning considerations including environmental considerations.

- 5.2.5. **Policy GEN-H-11:** It is the policy of the Council to consider proposals for urban residential development that seek to resolve existing unfinished residential developments, including through appropriate reconfiguration of developments, and such proposals shall be considered outside the population targets set by the core strategy.

### 5.3. **Environment and Heritage**

- 5.3.1. **GEN-EH-6:** It is a policy of the Council to consider proposals for development within areas zoned as “Established Development” where it can be demonstrated that the proposal will integrate effectively with the surrounding area and that there will be no over-development of the site or inappropriate densities and subject to compliance with all other relevant policies of the LAP. In this regard, a proposal must demonstrate that the development is appropriate in its context and setting, that the scale, massing, footprint and height is appropriate and that it does not detract from the character, amenity and design of the surrounding neighbourhood, including the character and amenities of surrounding buildings.

### 5.3.2. **Infrastructure and Services**

- 5.3.3. **Objective BS-IS-2:** It is an objective of the Council to secure the upgrading of the Ballybofey-Stranorlar Wastewater Treatment Plant as an urgent priority.

### 5.4. **Natural Heritage Designations**

- 5.4.1. The subject site is located approximately 550 m to the south of the River Finn SAC.

### 5.5. **EIA Screening**

- 5.5.1. Having regard to the nature and scale of the proposed development, comprising the completion of 7 no. partially constructed and previously permitted residential dwellings in an established residential area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for

environment 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

6.1.1. An appeal has been lodged by Emer Murray & Others, 169 The Beeches, Ballybofey, Co. Donegal, the grounds of which can be summarised as follows:

- Works which were conditioned to be undertaken under the parent permission reg. ref. 03/8310 have not been completed, including a surfaced play area in the open space, pedestrian crossings, and a planted buffer zone to reduce emissions from the proposed N15 bypass;
- Works required under the following conditions of reg. ref. 03/8310 have not been completed: condition no. 1(a) regarding the development of a crèche; condition no. 3 regarding maintenance of common areas; condition no. 4 regarding the completion of roads to DoE standards; condition nos. 7(b) and (c) in relation to traffic; condition no. 9(a) in relation to tree planting; condition no. 9(b) regarding a buffer zone to the proposed N15 bypass; and, condition no. 12 in relation to the play area;
- If planning permission is granted in this instance, it should be a requirement that all services, roads and the crèche are completed prior to the commencement of any development on the site;
- The Ballybofey-Stranorlar LAP 2018-2024 outlines a masterplan for a network of walkways which traverses through the estate, and which should be incorporated into the current plans;
- The site is zoned for “established development” purposes and is not included in the population growth figures for the county over the next 6-year period;
- Irish Water has noted that the existing sewer network and the WwTP do not have the capacity for extra effluent discharge. Section 5.7.1 of the Ballybofey-Stranorlar LAP 2018-2024 notes the impact of effluent on the River Finn Natura 2000 site due to the town WwTP being above capacity;



- Housing policy BS-H-2 of the Ballybofey-Stranorlar LAP 2018-2024 requires that any application for development in The Beeches shall be accompanied by a site-specific flood risk assessment. The applicant has submitted a camera survey report which could not be classified as such an assessment;
- A Traffic and Transport Assessment and Roads Safety Audit of the development are now required under the County Development Plan. The impact of the development on the junction of the estate road and Navenny Road should be considered, which is deficient regarding the right turning lane width and length. A new public light is also required on the main arterial road proximate to the estate entrance;
- The subject site forms part of a larger unfinished estate. As such, the applicant should be required to implement an overall remediation plan for the estate similar to the requirements set out by the Dept. of the Environment for unfinished housing estates and which is considered best practice;
- A footpath should be provided from the site entrance to house no. 186, which should reduce the risk and severity of any potential accidents that could result from children playing in the area;
- A permanent fence/screen that is visually unobtrusive should be installed on the green space adjacent to house no. 186. The existing security fencing should only be considered a short-term solution.

## 6.2. Applicant Response

6.2.1. A response was received from MH Associates on behalf of the applicant on 23<sup>rd</sup> December 2019, which can be summarised as follows:

- It is noted that the appellant does not object to the planning authority's decision to grant planning permission but seeks to alter certain conditions attached to same, including those relating to site services;
- The applicant was not the original developer of the estate and is not legally bound to carry out works conditioned under previous permissions. However, in order to complete the subject development, the applicant accepts they may have an ethical duty to existing and future residents to complete outstanding

infrastructural works. To this end, the applicant has engaged positively with Donegal County Council and is in discussions about having the extended works completed;

- The applicant has costed the completion of the outstanding works and has shared this detail with Donegal County Council. It is not currently economically viable in Donegal for the developer to complete these works before the first house is commenced. These works can only be undertaken as sales are completed and finance starts to accrue from same. If the relevant planning conditions are altered to require these works to be undertaken prior to the commencement of development, the 7 no. houses will not be completed;
- The applicant has been in discussions with Donegal County Council regarding the provision of the completed houses as social housing units, with an identified need for 150 no. such units in the Ballybofey and Stranorlar areas;
- While the appellant has requested that the crèche which was permitted under the parent permission be constructed prior to the commencement of the development, this is not economically viable. In addition, condition no. 1(a) of reg. ref. 03/8310 required a site to be reserved for the future provision of a crèche, and this has been facilitated;
- The applicant acknowledges that the estate remains unfinished and intends to complete the unfinished dwellings and associated roads and services. The only procedure by which this can be done, is for An Bord Pleanála to uphold the Planning Authority's decision in this instance;
- By seeking to complete infrastructure works prior to the commencement of development, the permission will be rendered unviable, which will extend the legacy of the unfinished estate into the future.

### **6.3. Planning Authority Response (19<sup>th</sup> December 2019)**

- 6.3.1. The Planning Authority is satisfied to rely on the contents of Donegal County Council's Planning Officer's Report and recommendation dated 29<sup>th</sup> October 2019.

6.3.2. It is further noted that Donegal County Council has been liaising with the applicant to address outstanding matters associated with The Beeches housing development, in order to ensure that all remedial works to complete the development form part of this permission.

#### 6.4. **Observations**

6.4.1. None.

### 7.0 **Assessment**

7.1. I am satisfied that the main issues for consideration in this case include the following:

- Conditions attached to parent permission reg. ref. 03/8301
- Requirements prior to the commencement of development
- Waste-water treatment capacity
- Flood risk
- Appropriate assessment

7.2. Each of these issues is addressed in turn below.

#### 7.3. **Conditions of parent permission reg. ref. 03/8301**

7.3.1. The appellant submits that a number of conditions attached to the parent permission reg. ref. 03/8301 have not been complied with as summarised in section 6.1.1 of this report. In considering the foregoing, I note that the compliance of the overall estate development with the terms and conditions of the parent permission is not open for reassessment under this appeal case.

7.3.2. Notwithstanding the foregoing, I note that the applicant's Further Information response included a priced schedule of works for the proposed laying of tarmacadam and associated works within the estate. I further note that the applicant has engaged with Donegal County Council in relation to the completion of the outstanding works as confirmed by both parties in their responses to this appeal.

7.3.3. Condition no. 3 (b) of the Planning Authority's Notification of the Decision to Grant Permission requires that "prior to the first occupation of any dwelling houses herein

permitted, the entire estate service road within the development herein permitted, shall be completed with a final wearing course to a finished standard which is in accordance with the Recommendations for Site Development Works for Housing Areas and Design Manual, Donegal County Council”.

7.3.4. In reviewing the Site Location Map (Drawing No. 6718/PL01) which accompanies this application, I note that the entire estate service road is not within the ownership of the applicant and on that basis, the attachment of condition no. 3(b) is not appropriate. In the event planning permission is granted in this instance, it is considered reasonable that the applicant be required to pay a special development contribution towards the completion of infrastructure and services within the estate which will facilitate the proposed development as provided for under Section 48(2)(c) of the Planning and Development Act, 2000 (as amended). This matter can be addressed by way of planning condition.

#### **7.4. Requirements prior to the commencement of development**

7.4.1. The appellant submits that the services, roads and the crèche should be completed prior to the commencement of any development on the subject site.

7.4.2. In reviewing the Planning Authority’s Notification of the Decision to Grant Permission, I note that condition no. 9 in relation to traffic calming, signage and lineage and condition no. 14 regarding the completion of infrastructure serving the development, require works to be undertaken prior to the first occupation of any dwelling house.

7.4.3. In responding to this point of appeal, the applicant submits that it is not economically viable to commence these works before the first house is commenced and that such a requirement would render the permission unviable.

7.4.4. In considering the foregoing, I note that the 7 no. dwelling houses to which this application relates have remained unfinished for a considerable length of time, despite the granting of 2 no. extensions to the duration of the parent permission. The subject dwellings and associated cul-de-sac have a significant negative impact on the visual appearance and residential amenity of the overall estate. The current application represents an opportunity to resolve these issues and as such, in my opinion, it is reasonable that the infrastructure and services which are required to

facilitate the proposed development be completed prior to the occupation of the units.

- 7.4.5. The requirements of condition no. 3(b) regarding the completion of the internal estate road have already been discussed in sections 7.3.3 – 7.3.4 of this report above. In recommending that the applicant pay a special development contribution towards the completion of infrastructure which will facilitate the development, it is considered reasonable that this contribution be paid prior to the occupation of the subject dwelling units or in phased payments as the planning authority may facilitate, rather than prior to the commencement of development. This matter can be addressed by way of planning condition.
- 7.4.6. In considering the appellant's request that the crèche facility be provided prior to the commencement of development, I note that site no. 187 has been reserved for the future provision of a crèche facility in accordance with condition no. 1(a) of reg. ref. 03/8301. The applicant has confirmed that this site remains available to cater for a crèche development subject to market demand. Thus, the requirement to provide a crèche facility as part of the current application does not arise.
- 7.4.7. The appellant submits that a walkway which is identified for delivery through The Beeches estate under the provisions of the Ballybofey-Stranorlar LAP should be incorporated into the current proposals. A review of Map No. 3 (Land Use Zoning) of the LAP confirms that this walkway/cycleway route does not extend through the subject site and is not located on lands which are controlled by the applicant. As such, the delivery of this infrastructure falls outside the scope of this application.
- 7.4.8. The appellant further submits that a Traffic and Transport Assessment and Roads Safety Audit of the proposed development should have been undertaken as required under the County Development Plan. In considering the foregoing, I note that the internal road layout and associated junctions were designed to cater for the 7 no. dwellings which were originally proposed on the subject site. As such, the existing infrastructure has already been assessed and deemed appropriate under application reg. ref. 03/8301.

## 7.5. Wastewater Treatment Plant Capacity

- 7.5.1. The appellant submits that the existing sewer network and the wastewater treatment plant serving the town, do not have the capacity for extra effluent discharge.
- 7.5.2. Irish Water's Further Information report acknowledges that there is a current capacity constraint in the wastewater treatment facility serving the proposed development. This report confirms that capital upgrades will be required to cater for the development, with the developer advised to enter into a connection agreement which outlines the costs associated with these capital upgrades, as well as the cost of facilitating the connection. These requirements are considered appropriate in order to address the identified deficiencies and to ensure adequate services are available to cater for the proposed development. This matter can be addressed by way of planning condition.

## 7.6. Flood Risk

- 7.6.1. The appellant submits that the application should have been accompanied by a Flood Risk Assessment as required under housing policy BS-H-2 of the Ballybofey-Stranorlar LAP 2018-2014.
- 7.6.2. I note that policy BS-H-2 requires "that any applications for redevelopment of the **unfinished estate located generally opposite the estate known as 'The Beeches'**, Navenny, Ballybofey shall be accompanied by a site-specific flood risk assessment". Figure 5.5: Ballybofey/Stranorlar Centre, Flood Extents Map of the LAP further confirms that the application site is not located within Flood Zone A or Flood Zone B. Thus, this point of appeal is not relevant in the context of this application.

## 7.7. Appropriate Assessment

- 7.7.1. The subject site is located approximately 550 m south of the River Finn SAC.
- 7.7.2. Given that the development is proposed to be connected to the public water supply and upgraded drainage networks, and having regard to the nature and scale of the development and the established pattern of permitted residential development on the subject site, 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.

## 7.8. Note

- 7.8.1. The Planning Officer's Report dated 29th October 2019 confirms that all outstanding development charges for the entire development, inclusive of the 7 no. units to be completed, have been paid in full under the parent application reg. ref. 03/8310 as extended under reg. ref. 12/50460. In the event planning permission is granted in this instance, it is recommended that a S. 48 development contribution is not attached to the Board's decision. No such condition was attached to the planning authority's decision.

## 8.0 Recommendation

- 8.1. I recommend that planning permission be granted subject to conditions.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the site's location on zoned urban land, the established pattern of residential development on the subject site and surrounding lands and the nature and scale 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 or of property in the vicinity. 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 8 <sup>th</sup> October 2019 including Drawing No. C1905 Sheet Nos. 2 and 3, 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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.
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	<p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000 in respect of the completion of the primary internal estate road and associated services which will facilitate the development. The amount of the contribution 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 for determination. The contribution shall be paid prior to the occupation of the dwelling units, or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.</p> <p><b>Reason:</b> It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.</p>
3.	<p>Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>



4.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
6.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works.</p> <p><b>Reason:</b> In the interest of amenity and of traffic and pedestrian safety.</p>
7.	<p>Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>
8.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
9.	<p>All rear gardens shall be bounded by timber panel fences, 1.8 metres in height, constructed with concrete uprights.</p> <p><b>Reason:</b> In the interests of residential and visual amenity.</p>
10.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.</p> <p>This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing:</p>

	<p>(i) The species, variety, number, size and locations of all proposed trees and shrubs;</p> <p>(ii) Details of roadside/street planting;</p> <p>(iii) Hard landscaping works, specifying surfacing materials, furniture and finished levels.</p> <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment;</p> <p>(c) A timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 3 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interests of residential and visual amenity.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0800-1800 hours Mondays to Fridays inclusive, between 0830 – 1500 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><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
12.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste and the location of construction vehicle access and haulage routes.</p>

	<b>Reason:</b> In the interest of public safety and residential amenity.
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Louise Treacy  
Planning Inspector

4<sup>th</sup> March 2020