



An  
Bord  
Pleanála

## Inspector's Report

### ABP-306880-20

---

<b>Development</b>	Demolition of dwelling (Cuala); and, construction of detached dwelling
<b>Location</b>	Cuala, Greenfield Road, Dublin 13, D13 F243
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F19A/0609
<b>Applicant(s)</b>	Timo Barry
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Frank Deane
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	20 <sup>th</sup> of July 2020
<b>Inspector</b>	Angela Brereton

## 1.0 Site Location and Description

- 1.1. The appeal site is located on the northern side of Greenfield Road (R105), c.170m east of its junction with the Howth Road at Sutton Cross which is the main village centre for Sutton. Sutton DART Station is located c. 600m to the north west of the appeal site and Dublin Bay is located c.100m to the south.
- 1.2. The site is irregularly shaped, and currently accommodates a large detached two storey house with a pitched hipped roof and projecting bays to the front elevation. The house is stated as dating from the 1930s and it is of a similar design idiom to the neighbouring houses to the west, while the house immediately to the east is a detached gable fronted dormer-style dwelling. The remainder of the site is comprised of front and rear gardens serving the house. The gardens include a number of mature trees and hedging along the boundaries. The rear gardens of Nos. 177 and 178 Howth Road are located to the north of the appeal site, while Sutton Tennis Club is located to the north east.
- 1.3. The wider Greenfield Road area comprises a mix of house types and sizes, with the majority of houses being located on relatively generous sites. This is particularly the case for those on the southern side of Greenfield Road, which tend to extend onto the coastline. The building lines and orientations of houses along Greenfield Road also vary, with some houses orientated parallel to the road, while others are orientated perpendicular to their boundaries, which are generally at an offset from the road. There are also some newer more contemporary design, recently constructed two/three storey houses located further to the east, opposite St. Fintan's Church on the opposite side of the road.

## 2.0 Proposed Development

- 2.1. This proposal is to comprise the following:
  - (i) Demolition of an existing two storey four bedroom, detached dwelling (Cuala), and;
  - (ii) Construction of a two storey over basement, four bedroom detached dwelling with single storey flat roofed orangery to rear, balcony to front and

rooflights (identical to that approved as House 'C' under Reg.Ref. F18A/0661);

- (iii) Other works as part of development include, SuDS drainage, landscaping, boundary treatments, 2 no. on-curtilage car parking spaces provision of new vehicular access off Greenfield Road and all associated works necessary to facilitate the development.

2.2. Documentation submitted with the application includes the following:

- Hughes Planning & Development Consultants, have submitted a Planning Report i.e. 'Residential Development - House 'C' to provide a rationale for the proposed development.
- A letter has been submitted that refers to the joint ownership of the site.
- An Arboricultural Report by Charles McCorkell, Arboricultural Consultancy.
- A Landscape Masterplan.
- An Engineering Report by O'Neill Consultant Engineering Services.
- Drawings showing the proposed development.

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

On the 17<sup>th</sup> of February, 2020 Fingal County Council granted permission for the proposed development subject to 14no. conditions. These include regard to compliance with the conditions of ABP-304323-19, external finishes, landscaping, surface water drainage, construction and demolition management and development contributions.

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

##### Planner's Report

The Planner had regard to the locational context of the site, planning history and policy, to the inter departmental reports and to the submissions made. Their Assessment included the following:

- The design of the proposed dwelling is identical to that approved under F18A/0661/ABP-304323-19 and therefore the visual integration of the proposed dwelling was assessed and considered to be acceptable as part of the previous application.
- The applicant has not proposed any amendments to the external finishes and it is recommended that a condition be attached similar to the extant permission.
- They note concerns about piecemeal development and consider that construction issues can be dealt with by condition.
- They concluded that the proposed development is in accordance with the policies and objectives of the Fingal DP 2017-2023. The principle of the proposed development is considered to be acceptable and would integrate appropriately with the surrounding context and would be in accordance with the proper planning and sustainable development of the area.

### 3.3. Other Technical Reports

#### Transportation Planning Section

They have some concerns about sightlines but provide they are achievable subject to suitable boundary treatment. They have no objection to the proposed development subject to conditions.

#### Water Services Department

They have no objections subject to conditions.

#### Parks Division

They recommend conditions, concerning landscaping, tree protection, arboricultural consultant to supervise the works, the provision of a tree bond and a condition for a special development contribution in lieu of open space provision.

### 3.4. Prescribed Bodies

#### Irish Water

They have no objections subject to conditions.

### 3.5. Third Party Observations

A Submission has been received from a local resident who is the subsequent Appellant. Regard has been had to this submission in the Planner's Report and the concerns raised are considered further in the context of the grounds of appeal in the Assessment below.

### 4.0 Planning History

The Planner's Report on file and the Planning Report submitted on behalf of the Applicants with the subject application provide details of the extensive planning history of the site at 'Cuala' Greenfield Road. The recent permission granted encompassing the whole site area (the parent permission) is the most relevant to the current application and in summary is as follows:

- Reg.Ref. F18A/0661 – Ref. ABP-304323-19, Permission granted subject to 10 no. conditions by the Board for:

(i) The demolition of an existing two storey four bedroom, detached dwelling;

(ii) The construction of houses A & B comprising of – 2 new three storey over basement, five bedroom detached dwellings with third storey pitched roof setback, single storey flat roof orangery to rear, balcony to front and roof-lights;

(iii) House C – comprising of 1 new two storey over basement, four bedroom detached dwelling with, single storey flat roof orangery to rear, balcony to the front, and roof-lights.

(iv) Other works as part of the development include: SuDS drainage, landscaping, boundary treatments, alterations to existing vehicular entrance to be used for new dwelling A and two new vehicular entrances from Greenfield Road to serve each dwelling house B & C, car parking and all associated works necessary to facilitate the development.

- Reg.Ref.F19A/0497 –ABP-306343-20 Permissions granted by the Board subject to 12no. conditions for the Demolition of dwelling (Cuala) and construction of detached dwelling. This refers to the centre site (identical to

that approved as House 'B' under Reg.Ref. F18A/0661 - ABP-304323-19 refers).

A copy of the Inspector's Reports and Board decisions are included in the Appendix.

### *Concurrent Appeals*

There is a recent undecided concurrent appeal relative to the proposed house on the site to the west (House 'A' refers):

- F19A/0608 – ABP-306877-20 – Demolition of dwelling 'Cuala' and construction of detached dwelling.

## **5.0 Policy Context**

### **5.1. National Policy**

- Project Ireland 2040 National Planning Framework (2018).
- Design Manual for Urban Roads and Streets (DMURS) (DECLG and DTTS 2013).
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, (DEHLG 2009) and the accompanying Urban Design Manual: A Best Practice Guide, (DEHLG 2009).

### **5.2. Fingal Development Plan 2017-2023**

#### *Land use zoning*

The site is within Balydoyle/Howth area, Sheet 10 refers. It is within the RS – Residential zoning objective which seeks to: *Provide for residential development and protect and improve residential amenity.*

Part of the land adjoining to the east is zoned OS – Open Space: *Preserve and provide for open space and recreational amenities.* The Sutton Lawn Tennis Club is located within these lands.

The land to the west is zoned TC - Town Centre where the objective seeks to: *Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities.*

The land further to the north is zoned HA -High Amenity which seeks to: *Protect and enhance high amenity areas.*

The site is partially located within a Specific Objective for the - Urban Framework Plan area of Sutton. There is an indicative cycle/pedestrian route along the site frontage. There is the Sutton Cross ACA to the south of the site on the opposite side of the road to the site frontage.

### *Consolidation*

Strategic Policy 6 seeks to consolidate development and protect the unique identities of a number of settlements, including Sutton. Sutton is also identified as a 'Consolidation Area' within the Settlement Strategy for Fingal. The Development Plan includes the following Objectives in respect of such areas:

- **SS15:** Strengthen and consolidate existing urban areas adjoining Dublin City through infill and appropriate brownfield redevelopment in order to maximise the efficient use of existing infrastructure and services.
- **SS16:** Examine the possibility of achieving higher densities in urban areas adjoining Dublin City where such an approach would be in keeping with the character and form of existing residential communities or would otherwise be appropriate in the context of the site.

The development strategy for Sutton is to strengthen and consolidate the role of the existing centre while promoting the retention and provision of a range of facilities to support the existing and new populations. This is supported by the following Objective:

- **SUTTON 1:** Improve and consolidate the village of Sutton including the protection of local services.

### *Placemaking*

Chapter 3 of the Development Plan relates to Placemaking and the following Objectives are noted:

- **PM39:** Ensure consolidated development in Fingal by facilitating residential development in existing urban and village locations.

- **PM64:** Protect, preserve and ensure the effective management of trees and groups of trees.

#### *Development Management Standards*

Chapter 12 of the Development Plan sets out development management standards, and the following Objectives are noted:

- **DMS28:** A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.
- **DMS29:** Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units.
- **DMS39** New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.
- **DMS44:** Protect areas with a unique, identified residential character which provides a sense of place to an area through design, character, density and/or height and ensure any new development in such areas respects this distinctive character.

### 5.3. **Natural Heritage Designations**

The site is located proximate to the designated area of these Natura 2000 sites:

- North Dublin Bay Special Area of Conservation (site code: 0206); and
- North Bull Island SPA (site code: 4006).
- Baldoyle Bay SAC (site code: 000199).

### 5.4. **EIA Screening**

Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity, the absence of



any connectivity to any sensitive location, 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

Thornton O'Connor Town Planning has submitted a Third Party Appeal on behalf of Frank Deane who is a proximate local resident. They have regard to the planning history and their grounds of appeal include the following:

- They contend that the rationale for the separation of the multi-unit development is to allow each site to be sold separately with planning permission and subsequently be developed by the respective purchasers. They note the subject site has now appeared for sale.
- While they note the Board accepted a multi-unit development on a larger site – Ref. ABP-304323-19 refers, they are concerned that this proposal is for separate development of this site.
- They are concerned that use of different materials and glazing systems by 3 separate users could be visually incongruous.
- The separation of the multi-unit residential development will have a severe negative impact on their residential amenity and enjoyment of their property.
- Given that the zoning objective for this location aims to protect and improve residential amenity, the proposal should be assessed in terms of its impact on the residential amenity of the area.
- The application directly contravenes the zoning objective for the site as the separation of the multi-unit development will have undue adverse impacts on the residential amenity and character of the area and the streetscape.
- Construction works by 3 separate developers, will take longer and be more detrimental for the residential amenities of adjoining properties.

- The uncoordinated development of 3 no. dwellings adjacent to his property would be visually unattractive along the streetscape, resulting in a negative impact on the character of the area.
- There are no measures available to ensure that each dwelling is constructed should permission be granted for the proposed splitting of the larger 'Cuala' site, resulting in haphazard development.
- They are concerned that one planning permission could be implemented while the remaining sites follow resulting in visual imbalance, and a disjointed appearance to the street.

## 6.2. Applicant Response

Note noted.

## 6.3. Planning Authority Response

Their response includes the following:

- The proposal was assessed against current policy and guidelines having regard to the residential zoning objective.
- The concerns regarding the construction time period for the 3 separate sites compared to the originally approved comprehensive development are noted and they recommend a condition relative to construction times.
- The area is characterised by a variety of external finishes and Condition no. 6 of Reg.Ref. F19A/0609 requires details of all external finishes to be agreed in writing with the PA prior to the commencement of development which will ensure consistency.
- The development of the sites separately accords with planning policy and objectives in the Fingal CDP and the RS zoning objective and would not be incongruous to the established character of the area.
- Having reviewed the Third Party appeal the PA remains of the opinion that the proposed development will not detract from adjoining residential amenity, subject to compliance with conditions.

- They ask the Board to uphold the decision of the PA and to include Condition No.14 in the Board's determination.

#### 6.4. **Observations**

None noted.

### 7.0 **Assessment**

#### 7.1. **Principle of Development and Planning Policy**

- 7.1.1. The subject site is zoned objective 'RS' Residential in the Fingal County Development Plan 2017-2023 where the objective is to: *Provide for residential development and protect and improve residential amenity.* The 'Vision' for the zoning objective is to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity. Therefore, while the principle of development is acceptable, this is provided it would not detract from the residential amenities and character of the area.
- 7.1.2. The Third Party is concerned that the proposal contravenes the residential zoning objective in that it will result in haphazard piecemeal development that will have a negative impact on his property (particularly during construction phase) and on the visual amenity and character of the area.
- 7.1.3. The Planning Report submitted provides that the proposed development accords with the proper planning and sustainable development of the area and considers that permission should be granted accordingly as the development will provide infill housing at an appropriate density whilst having due regard to the character of the area and residential amenity of adjoining properties.
- 7.1.4. It is considered that the principle of the demolition of the existing period house 'Cuala' and the construction of 3no. houses on the greater site area, has been established in the previous Board decision (Ref. ABP- 304323-19 relates). It has been noted that the house is not a Protected Structure and the site is not located in an Architectural Character area.

- 7.1.5. It is noted that a justification as to the need to have 3 separate applications, when permission has already been granted for a multi-unit development on this site, has not been provided. However, the rationale is not really a planning matter, rather to ascertain that the proposed development of the subject site, would protect residential amenities and the character of the area in accordance with the Residential zoning objective and be in accordance with the proper planning and sustainable development of the area.
- 7.1.6. The issue in this case is whether the principle of the sub-division of the original site which forms the curtilage of 'Cuala' into 3 separate parcels of land is acceptable in this case. Whether each site can be viewed as a separate entity in its own right or whether the proposal would involve project splitting and be to the detriment of the amenities of neighbouring properties and the character and amenities of the area. These issues are considered further in the context of this Assessment below.

## 7.2. **Background and Rationale**

- 7.2.1. Regard has been had to the recent permission for the construction of 3no. houses on the greater site area at 'Cuala' Greenfield Road as noted in the Planning History Section above (Ref. ABP-304323-19 refers) and to the conditions therein. As per the Planning Report submitted with the current application for the subject site 'House C' it is provided that this application forms part of two other concurrent applications comprising dwellings which are identical to the houses recently approved under Reg.Ref. F18A/0661 – Board Ref. ABP-304323-19. For clarity they note that there is no change to the dwellings indicated as House 'A', House 'B' and House 'C'. As noted in the Planning History Section above the two houses on the adjoining sites are also subject to separate applications (concurrent appeals). Therefore, this application relates to the third of these dwellings i.e 'House C' located to the east. It is adjacent to the single storey bungalow 'Scotia'.

The Board's recent decision relative to the central site 'House B' (ABP-306343-20) is also of note. In that case permission was granted for the centrally located plot 'House B' as a stand alone site. It is noted that condition no.2 of that permission related it to the parent permission ABP-304323-19 and provided that it expire on the same date (i.e: 5 years from the 6<sup>th</sup> of September 2019). It is recommended that if

the Board decides to permit that a similar type of condition be included to prevent piecemeal development.

### **7.3. Design and Layout and Impact on the Character and Amenities of the Area**

- 7.3.1. The proposed development essentially consists of two main elements comprising the demolition of the existing house and the construction of a new detached two-storey dwelling. As shown by the red line boundary the application encompasses the greater site area. The Site Layout Plan shows the application only relates to Site C.
- 7.3.2. As noted above permission for the demolition of the existing house has already been granted under Reg. Ref. ABP-304323-19. House type 'C' is composed of a 4 bedroom 2 storey dwelling with basement and a g.f.a of 322sq.m. This includes a single storey kitchen/dining room element at the rear. It differs from and is set further forward of the larger 3 storey with basement houses on plots A and B.
- 7.3.3. The development is composed of the design as approved for House Type 'C' and the design of the proposed dwelling is identical to that approved under Reg.Ref. F18A/0661/ABP-304323-19 and therefore the visual integration of the proposed dwelling was assessed and considered to be acceptable as part of the previous application. The difference here is whether the development of the site relative to House Type 'C' can be seen as a separate entity to the development sites to the west. I would consider that as each site has its own entrance and contains a detached house that it could.
- 7.3.4. However, visually as a concept, it would be preferable that the other sites be developed in tandem as originally intended, albeit as separate sites. It is recommended, if the Board decides to permit that condition no. 2 of the previous permission relative to external finishes and condition no. 4 relative to boundary treatment be included.
- 7.3.5. The proposed access is as previously approved. An Engineering Report has been submitted with the application. This notes that sight lines are as shown on the drawings submitted as part of the previous application. They provide that it has been demonstrated that the sight lines are fully achievable for the proposed house. The Council's Transportation Section notes the proposal is within the 50km/hr speed limit. They do not object to the proposal provided boundary treatment does not

obstruct the required visibility envelope. Regard is had to the Board's Condition no. 5 (ABP-304323-19 relates) in this respect. It is recommended that if the Board decides to permit that this condition relative to vehicular access, be complied with.

#### **7.4. Trees and Landscaping**

- 7.4.1. The Parks Division provides that the submitted Tree Protection Plan shall be implemented on-site prior to the commencement of any clearance works and that the boundary hedges (H2, H3, H11, H12) be located within the fenced Tree Protection Zone. They recommend that the submitted Tree Protection Plan be implemented on-site prior to the commencement of construction works and the boundary hedge with 'Scotia' be located within the fenced Tree Protection Zone. Also, that an arboricultural consultant be engaged to supervise the installation of tree protection works. In addition, that a tree bond of €10,000 be lodged with the Council prior to the commencement of development to ensure the retained trees and hedgerows are protected and that a special contribution condition be made in lieu of the provision of public open space. An Arboricultural Report and Tree Survey and Landscape Masterplan relative to the greater site area has been submitted.
- 7.4.2. It is noted that the previous Inspector's Report (ABP-304323-19) provided an extensive discussion on the sylvian nature of the site and landscaping issues and included regard to the Arboricultural Report and tree protection measures submitted. It is noted that the mature beech tree (T5) in a more central position on the site has been discussed relative to the application permitted for House 'B' (ABP-306343-20 refers). A discussion was also provided relative to a Special Development Contribution in lieu of Open Space and to the inclusion of a Tree Bond. These issues were not included in the Board's conditions. Therefore, it is considered that these issues have already been discussed relative to the parent permission and regard is had to Condition no. 3 of the Board's permission relative to landscaping. It is recommended that if the Board decides to grant permission that this condition be complied with.

## **7.5. Construction issues**

- 7.5.1. The Third Party is concerned that construction will be for a longer period of time and will not be co-ordinated relative to the concept of the development of the individual sites, with different time scales, rather than the development of the multi-unit site. Also, that this will have a detrimental impact on his property and on road users.
- 7.5.2. It is contended that the development approved under ABP-304323-19 and the current proposal would each have a duration of 5 years. It is submitted that the comprehensive development could take 5 years to construct. Therefore, it is noted that the Council consider that the condition attached to the permission regarding the appropriate times of construction would ensure the impacts of the adjacent residential amenities are minimised.
- 7.5.3. Condition nos. 8 and 9 of the parent permission are noted in this regard. It is important that all construction and demolition works be carried out in accordance with good practice and current guidelines and that a Construction Management Plan be submitted. I would also recommend, to avoid different time spans and in the interest of clarity that if the Board decides to permit that it be conditioned that this proposal include an expiry date on the same date as the parent permission.

## **7.6. Drainage issues**

- 7.6.1. The Engineering Report submitted has regard to Foul and Surface Water Drainage. As shown on the drawings submitted, it is proposed to discharge to the foul water sewer that currently crosses the site. Part of the works will be to divert the existing sewer around the houses and through a wayleave. It is provided, that this has been agreed with Irish Water. Foul water calculations for the proposed house are given.
- 7.6.2. Surface water from the proposed development is to discharge into a soakaway – Appendix B of the Report refers. Details of surface water drainage design and calculations are given. Water supply to the site is to be from the existing watermain located on Greenfield Road.
- 7.6.3. A Flood Risk Assessment is also included. It is noted that there is a basement in the house, and that when the basement is complete they provide that it will not have an impact on ground water levels. They provide that ground water will have to be

managed during construction, but that upon completion it will revert to normal levels which are influenced by climate rainfall, geology etc.

- 7.6.4. The issue of Drainage and FRA for the overall site have been assessed as part of the previous planning application. Details given in the current application in general refer to the implications of 1 house, rather than 3 as originally granted. The Council's Water Services Department does not object to the proposed development. Conditions no. 6 of the parent permission refers to Water Supply and Drainage. It is recommended that if the Board decides to permit that a similar type condition be included.

## **7.7. Screening for AA**

- 7.7.1. It is noted that previous applications have screened out the requirement for a Stage 2AA, including the parent permission ABP-304323-19. The latter provided that given the urban environment and fully serviced nature of the area, it is not considered that the proposal would negatively impact upon the integrity of the Natura 2000 site network, its qualifying interests or hinder in the implementation of the designated sites' conservation objectives.
- 7.7.2. Having regard to the nature and scale of the proposed development and the nature of the receiving environment together with the proximity to the nearest European Site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans and projects on a European Site.

## **8.0 Recommendation**

- 8.1. It is recommended that permission be granted subject to conditions.

## **9.0 Reasons and Considerations**

Having regard to the planning history of the site, the zoning provisions of the Fingal Development Plan 2017-2023, the location of the site within the residential area in Sutton, the nature of the existing dwelling proposed for demolition, the nature and scale of the proposed development and the pattern of development in the area, it is



considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience and in terms of flood risk. 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, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted by order dated the 6<sup>th</sup> day of September, 2019 under An Bord Pleanála reference number ABP-304323-19 and any agreements entered into thereunder. This permission shall also expire on the same date as the permission granted under An Bord Pleanála reference number ABP-304323-19.

**Reason:** In the interest of clarity.

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

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

4. The trees along the northern site boundary shall be retained and prior to the commencement of development, a comprehensive boundary treatment and

landscaping scheme for the site, to include a plan for the protection of existing trees to be retained during construction, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To protect trees and planting during the construction period in the interest of visual amenity.

5. Details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

6. The vehicular access and driveway serving the proposed development, shall comply with the requirements of the planning authority for such works.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

7. Water supply and 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.

8. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of development.

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

9. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

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

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the

development, including noise and traffic management measures and management of construction/demolition waste.

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

11. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

12. 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 be applied to the permission.

---

Angela Brereton  
Planning Inspector

22<sup>nd</sup> of July 2020