



An
Bord
Pleanála

Inspector's Report ABP-307015-20

Development

Development consisting of

- 1) The demolition of an existing two-storey house.
- 2) The construction of an 854 sq m, three-storey/ part two-storey building containing nine apartments: 3 x 1 bed, 4 x 2 bed and 2 x 3 bed.
- 3) Associated works including 11 car parking spaces and modifications to vehicular entrance.

Location

106 Goatstown Road, Dublin 14.

Planning Authority

Dun Laoghaire-Rathdown County Council

Planning Authority Reg. Ref.

D19A/0460

Applicant(s)

Joan & Eileen Henegan

Type of Application

Permission

Planning Authority Decision

Grant Permission with conditions.

Type of Appeal

Third Party

Appellant(s)

Margarita Hendrick & Rory O'Brien

Observers

Maria Costello

Frank Hourihane

Date of Site Inspection

23rd June 2020

Inspector

Paul O'Brien

1.0 Site Location and Description

- 1.1. 106 Goatstown Road comprises of a large two storey detached house located on a stated site of 0.185 hectares, on the western side of the Goatstown Road, Co. Dublin. Although listed as located on the Goatstown Road, access to the site is by way of a short cul-de-sac and access to the Goatstown Road is by way of this cul-de-sac onto Larchfield Road to the south and then onto the Goatstown Road. The short cul-de-sac may have provided direct vehicular access, northwards, to the Goatstown Road in the past, however this is prevented by a footpath and bus shelter.
- 1.2. The site is an irregular shape, with the house located 30 m to the west of the eastern front boundary and the site continues westwards narrowing to a point, circa 55 m from the rear elevation of the house. A detached garage is located to the north of the house. A number of mature trees are located to the western side of the site and along the eastern front boundary. Site boundaries consist of a mix of dashed block wall to the front and walls, fences and hedgerows to the other sides.
- 1.3. To the south of the site is a pair of two-storey semi-detached houses and to the north is a part three/ part four storey residential development 'Errew House' – described as a home to a congregation of nuns. On the eastern side of the public road, facing the subject site, is a part two/ part three/ part four storey apartment block. Whilst front boundaries to existing houses in the area consist of walls, the apartment block boundaries consist of low walls with railings over.
- 1.4. An on-road cycle track is provided along the Goatstown Road. As stated, there is a bus stop outside the site served by route 11 on a low frequency basis and high capacity transport in the form the Luas is available in Dundrum, just over 1 km from the site.

2.0 Proposed Development

The proposed development consists of:

- The demolition of an existing two-storey detached house with a stated floor area of 130 sq m.

- The construction of a part two-storey/ part three-storey apartment building with a stated floor area of 854 sq m containing:
 - 3 x one bed units
 - 4 x two bed units
 - 2 x three bed units
- Revisions to existing site entrance to serve the development.
- All associated site services, drainage installations and landscaping.
- The proposed development is circa 49 units per hectare.

The submitted further information response resulted in the following alterations:

- The reconfiguration of the floor plans. No loss in units or change to the unit type breakdown.
- Minor elevational alterations to include additional window screening on the western elevation.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Following the receipt of further information, the Planning Authority decided to grant subject to conditions. The conditions are generally standard. Condition no.2 requires the submission of revised elevational drawings and plans demonstrating the revision of windows to bedroom no. 1 on apartment 3 and bedroom no. 1 on apartment 2. Condition no. 12 requires the provision of 10 bicycle parking spaces in a secure location and condition no. 13 requires the provision of a 'Children Crossing' warning sign within the development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report reflects the decision to grant permission subject to conditions. A further information request raised a number of issues as follows, in summary:

1. Demonstrate compliance with Sustainable Urban Housing guidelines in relation to the provision of a schedule of unit types etc. and demonstrate that minimum internal heights are provided.
2. Address identified issues of overlooking.
3. Clarify whether or not, trees are to be removed and to provide boundary treatment details.
4. To provide a lighting scheme for the site.
5. Submit revised site plans that correctly indicate the location of neighbouring units and separation distances.
6. To contact Irish Water and submit a pre-connection enquiry with them.
7. To provide for additional pedestrian facilities and revised road/ vehicular details. Included in this is a Construction Management Plan (CMP), cycle parking facilities and electric vehicle charging points.

3.2.2. **Other Technical Reports**

Transportation Planning: Further information is requested in relation to the provision of adequate pedestrian facilities, road layout, car parking spaces, bicycle parking, electric vehicle charging points and the provision of a Construction Management Plan (CMP). On receipt of the further information response, the Transportation Planning Section reported no objection subject to conditions.

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

Public Lighting: The proposed lighting proposal was not acceptable.

3.2.3. **Prescribed Bodies Report**

Irish Water: Initially further information was sought. Noted that the combined sewer serving the development was at capacity. Advised to engage with Irish Water through the submission of a pre-connection enquiry. On receipt of the further information response, Irish Water reported that the water supply network was adequate, however the connection to the foul drainage network would require upgrades and that the applicant would be required to contribute to the cost of this.

3.2.4. **Objections/ Observations**

A number of letters of objection were received to the original application.

Issues raised include:

- No justification provided for the demolition of a house that provides part of the character of the area.
- The proposed development is larger than a previous proposal on this site.
- Loss of privacy through overlooking from balconies and windows.
- The development of this site may allow for unauthorised access to adjoining lands.
- Loss of daylight and sky through the overbearing nature of the development on existing residential units to the north.
- The proposed development will give rise to increased traffic congestion and the road entrance/ access onto the Goatstown Road is not suitable for the generated volume of traffic.
- Propose that a single house would be acceptable in this location; the proposed development would give rise to overdevelopment of this site.
- Submitted drawings do not adequately indicate the location/ position of residential units on adjoining sites.
- The external treatment of this development is not appropriate in this location.
- Need to preserve the existing trees on site.
- Insufficient bin storage provided to serve the development.
- No visitor parking is provided to serve the development and overall car parking provision is not sufficient.
- Concern about surface water drainage and the possibility of flooding in the area.
- The proposed height of development is not in keeping with the height of units to the west and south of the site.
- It is an overstatement to call the Goatstown Road a Quality Bus Corridor (QBC) when current provision is approximately two buses an hour.
- Potential nuisance through additional noise generated from this development.

- Procedural concerns regarding public notices, description of adjoining sites and lack of details on submitted site plans.
- It was stated that the submitted development is an improvement on previous applications on this site.

4.0 Planning History

P.A. Ref. D18A/0713 refers to a September 2018 decision, on the subject site, to refuse permission for the demolition of the existing house and to construct four, three-storey houses in a stepped terrace and all associated site works. The following reasons for refusal were issued:

1. The proposed development would provide a density of 22 dwellings per hectare. This is considered to represent an inefficient and unsustainable use of serviced zoned lands, land that is within walking distance of many amenities and public transport infrastructure. The proposed density would therefore materially contravene Policy RES3 'Residential Density' of the Dun Laoghaire Rathdown County Development Plan (2016-2022), and Section 5.8 of the Sustainable Residential Development in Urban Areas (DoEHLG 2009). The proposed development is therefore contrary to the proper planning and sustainable development of the area.
2. Having regard to the size and scale of the proposed development and its proximity to the neighbouring dwelling 104 Goatstown Road, it is considered that the proposed development due to its overall height, scale and massing would appear overbearing and dominant when viewed this property and result in harmful overshadowing and would be seriously injurious to the residential amenity and depreciate the value of this property. The proposed development would, therefore, be contrary to 2016-2022 Dun Laoghaire Rathdown County Development Plan Zoning Objective A which is, 'to protect and/or improve residential amenity' and would be contrary to the proper planning and development of the area.
3. The proposed development represents a poor form of development by way of its layout and configuration, with a significant part of the site to the rear, not forming part of the development. The proposed layout represents a poor and piecemeal use of A zoned lands, that would therefore materially contravene Policy RES3 'Residential Density' of the Dun Laoghaire Rathdown County Development Plan (2016-2022).

The proposed development is therefore contrary to the proper planning and sustainable development of the area.

NOTE: The applicant has failed to provide sufficient information on a number of elements of the development including transport, trees and landscaping, and drainage surface water drainage. This lack of information would need to be addressed in any future application.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the subject site is zoned A ‘To protect and/ or improve residential amenity’. Residential development is listed within the ‘Permitted in Principle’ category of this zoning objective.

Other relevant designations:

- The Goatstown Road is a ‘Proposed Quality Bus/ Bus Priority Route’.
- The site is located within the ‘Boundary of Local Area Plan’ – refers to the ‘Goatstown Local Area Plan – 2012’ extended to April 2022.
- There is a map-based objective ‘To protect and preserve Trees and Woodlands’ to the north of the subject site/ along the site boundary.

- 5.1.2. Chapter 2 – ‘Sustainable Communities Strategy’ of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, includes section 2.1 ‘Residential Development’. The Introduction (2.1.1) refers specifically to how future population growth will be accommodated, with one model – ‘Through the continuing promotion of additional infill accommodation in existing town and district centres at public transport nodes, brownfield sites and established residential areas’.

- 5.1.3. Under 2.1.3.3 ‘Policy RES3: Residential Density’ it is policy to: ‘.. to promote higher residential densities provided that proposals ensure a balance between the reasonable protection of existing residential amenities and the established character

of areas, with the need to provide for sustainable residential development'. I also note the following:

'As a general rule the minimum default density for new residential developments in the County (excluding lands on zoning Objectives 'GB, 'G' and 'B') shall be 35 units per hectare. This density may not be appropriate in all instances, but will serve as a general guidance rule, particularly in relation to 'greenfield' sites or larger 'A' zoned areas. Consideration in relation to densities and layout may be given where proposals involve existing older structures that have inherent vernacular and/or streetscape value and where retention would be in the interests of visual and residential amenity and sustaining the overall character of the area'.

Under 2.1.3.4 'Policy RES4: Existing Housing Stock and Densification' it is policy to:

- Encourage densification of the existing suburbs in order to help retain population levels – by 'infill' housing. Infill housing in existing suburbs should respect or complement the established dwelling type in terms of materials used, roof type, etc.

Under 2.1.3.7 'Policy RES7: Overall Housing Mix' 'It is Council policy to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and apartment types, sizes and tenures is provided within the County in accordance with the provisions of the Interim Housing Strategy'.

- 5.1.4. Chapter 8 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 refers to 'Principles of Development' and the following are relevant to the subject development:

8.2 'Development Management' – with particular reference to section 8.2.3 'Residential Development' and 8.2.3.4 'Additional Accommodation in Existing Built up Areas'.

Section 8.2.4.12 refers to Electrically Operated Vehicles – One parking space per 10 spaces to provide for electric charging.

5.2. **Goatstown Local Area Plan 2012 – Extended to April 2022**

The following are relevant:

Objective RD1: 'It is an objective of the Plan that all new residential development within the Plan area shall provide for a mix of household types, sizes and tenures that both complements and enhances the existing residential mix'.

Objective RD2: 'It is an objective of the Plan that new residential development shall comply with the Guidelines for Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual (May 2009)'.

5.3. National Guidance

- The National Planning Framework includes a specific Chapter, No. 6 - '*People Homes and Communities*' which is relevant to this development. This chapter includes 12 objectives (National Policy Objectives 26 to 37) and the following are key to this development:
 - National Policy Objective 27 seeks to 'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages'.
 - National Policy Objective 33 seeks to 'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'.
 - National Policy Objective 35 seeks to 'Increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights'.
- Design Manual for Urban Roads and Streets (DMURS).
- Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (DoEHLG, 2009) and its companion, the Urban Design Manual - A Best Practice Guide (DoEHLG, 2009).

- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (DoHPLG, 2018).

These guidelines provide for a range of information for apartment developments including detailing minimum room and floor areas.

- Urban Development and Building Heights Guidelines for Planning Authorities (DoHPLG, 2018).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).

5.4. Natural Heritage Designations

None.

5.5. EIA Screening

Having regard to the nature of the proposed development comprising the demolition of an existing house and the construction of an apartment block providing for nine residential units, in an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

Ms. Margarita Hendrick and Mr. Rory O'Brien have appealed the decision of Dun Laoghaire-Rathdown County to grant permission on this site. The appellants have engaged the services of O'Connor Whelan Limited to prepare the appeal.

The grounds of appeal can be summarised as follows:

- The status of the application with particular reference to the non-indication of adjoining residential units and details missing from the submitted plans.
- Overlooking leading to a loss of privacy.

- Concern about the demolition of an existing house – insufficient justification for the demolition of this unit.
- The footprint of the new development is much larger than the existing house.
- The development breaks an established building line.
- The proposed development does not demonstrate compliance with the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities. In particular the minimum width of living/ dining room, bedrooms and floor to ceiling heights are not acceptable.
- There will be a significant loss of trees, which form part of the character of the area.

6.2. Planning Authority Response

6.2.1. None.

6.3. Observations

Observations have been received from two parties, who objected to the original application; Maria Costello (1 Friarsland Avenue) and Frank Hourihane (Elmbank, Goatstown Road).

The main planning issues include:

- The height and design of the development is out of character with the existing form of development in the area.
- Insufficient parking provision.
- Concern about access for emergency vehicles.
- Potential overlooking.
- Poor water pressure in the area.
- Insufficient justification for the demolition of a good quality house.
- Access to the site is limited by the road layout.
- Concern about the loss of mature trees.

- The ‘apartments’ to the north area actually a convent building – home to a congregation of nuns.
- The visitor parking space which also serves as an electric vehicle charging point is not a compatible use.

6.4. Applicant’s Response

The Applicant’s agent – O’Dea and Moore Architects, have made the following comments in response to the appeal:

- Procedural comment in that the appellant refers to a first party rather than a third-party appeal.
- Overlooking leading to a loss of privacy is not foreseen due to proposed separation distances and layout. In the case of balconies, the applicant will accept the provision of a condition requiring privacy screening on the balconies if necessary.
- Traffic congestion and safety issues are not foreseen due to the existing road layout and the Dun Laoghaire-Rathdown County Council Transportation Department have not opposed the development.
- Measures including additional bicycle and motorcycle parking are likely to reduce the demand for car use.
- The proposal does not give rise to over-development and site coverage at 20% is low.
- The existing house has no special quality worthy of its retention.
- The development has regard to the character of the area.
- Standards comply with or exceed those contained within the Sustainable Housing Guidelines: Apartments (2018).
- A number of the existing trees are retained, and a detailed landscaping plan is provided.

7.0 **Assessment**

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

- Procedural Comments
- Principle of Development
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Traffic and Access
- Other issues
- Appropriate Assessment Screening

7.2. **Procedural Comments**

7.2.1. I note the comments made regarding the validity of the original application. The Board have no function in determining the validity of the original application. I note comments made in the original objections to the application in relation to site notices, however the Planning Authority did not raise any concerns and I also note that the number of objections received indicates a sufficient awareness of the application when made.

7.2.2. The applicant states in their response to the appeal that the further information response addressed a number of mapping issues to the satisfaction of the Planning Authority.

7.3. **Principle of Development**

7.3.1. The subject site is zoned 'A' for residential development, and it is therefore considered that the provision of residential development on this site is acceptable in principle. National and local policy as set out in the Dun Laoghaire Rathdown County Development Plan 2016 – 2022 and the Goatstown Local Area Plan 2012 (extended) is to increase densities where this is appropriate. The proposal is for nine residential units on a site area of 0.185 hectares giving a density of 49 (48.64) units per hectare.

7.4. Design and Impact on the Character of the Area

- 7.4.1. The surrounding area has undergone significant redevelopment in recent times, this is evident by the large apartment development to the east of the site and the residential development to the north. I do not have an issue with the demolition of the existing house and its replacement with a block of apartments. The single block will be part two and part three storey and will have a pitched roof. Car parking is provided to the front/ east of the building and open space to the rear/ west. Bicycle parking is provided in a number of locations and following the receipt of further information, a space for a motorbike was proposed.
- 7.4.2. Reference is made in the appeal to the breaking of an established building line, I would disagree with this comment as the existing building line in the area is not sufficiently strong to warrant its protection. The proposed development attempts to consider the different building lines to the north and south through the layout of this apartment block. I would argue that the proposed footprint and massing of this block actually strengthens the existing building line along this section of the Goatstown Road. The pitched roof has regard to the existing house and the houses to the south of the site. The pitched roof also provides for a suitable height and visual transition between the flat roofed residential development to the north and the pitched roof houses to the south. Overall, I consider the design to be of a suitably high quality.
- 7.4.3. The landscaping plan submitted by way of further information is considered to be acceptable and the retention of trees on site is to be welcomed. Most of the existing boundary is to be retained with additional fencing to be provided to the north and hedgerow to the southern side. A large area of open space is proposed to the rear of the site, this is probably due to the site layout making this section difficult to develop. This will provide for a significant area of communal open space for future residents.
- 7.4.4. Comment was made about the appropriateness of the grey metallic roof finish. A similar material is used on the existing building to the north of the site and this material is frequently used in contemporary building design. I note that the external finish of this building is to be plaster with a coloured render. It is considered that there should be some brick incorporated into the front/ south eastern elevation so as to ensure a visual integration with some of the newer buildings in the area. The

projecting section on the front elevation (Apartment 02 on the first floor and Apartment 01 on the second floor) may be suitable for such a treatment; a yellow/brown brick similar to that on the eastern side of the road may be suitable. This can be addressed by way of condition in the event that permission is to be granted.

7.5. Impact on Residential Amenity

- 7.5.1. The proposed development provides for adequate room sizes in accordance with the apartment guidelines and adequate storage provision is available to future occupants. All units demonstrate compliance with the requirements for private amenity space, in the form of balconies and terraces on the ground floor. As already reported, there is adequate communal open space provided.
- 7.5.2. A central lobby area provides access to the ground floor units with access to the first and second floor available by way of a stair and lift core. All units are therefore fully accessible. A sufficient number of units are dual aspect in accordance with the guidelines. The mix of apartment types with one, two- and three-bedroom units is appropriate and supports different housing needs.
- 7.5.3. Loss of privacy was raised as an issue in the appeal. The first floor on the southern side of the apartment block, which contains Apartment no. 01, has bathroom/ en-suite windows on the southern elevation, with a 2 m separation to the boundary and overlooking does not therefore arise. I note that the house to the south, no. 104, is built almost onto the boundary, whereas the proposed development provides for the separation of 2 m, I don't foresee overbearing on this side of the development. No windows are provided along the northern side of this building at first and second floor level. I note the proposed use of screens to address the potential for overlooking on the north western elevation – these are placed on Bedroom 1 on Apartment 3 – first floor and Apartment 2 – Second floor. Similarly, the use of 1.8 m high obscured glass panels on the end balconies are noted. I am satisfied that these measures, combined with the mature trees on the northern side, will reduce the perception of overlooking.
- 7.5.4. The separation between the building and the boundaries to the north and south, combined with the design which breaks up the mass of the building, will ensure that the structure is not overbearing on the adjoining properties/ the streetscape. I do not

foresee any issues in relation to overshadowing. The design has been carefully considered in this regard.

7.6. Traffic and Access

- 7.6.1. The revisions to the site entrance are noted and are considered to be acceptable. The provision of a separate pedestrian entrance is desirable. I do not foresee any traffic safety concerns having regard to the layout of the road at the front of the site. Access is over an existing short cul-de-sac and this site is at the northern most end of this cul-de-sac. I note the comments of the Dun Laoghaire-Rathdown Transportation Department and no concerns regarding safety were raised following the receipt of further information. I do not foresee that the development will give rise to a significant increase in vehicle movements. Access for emergency vehicles is an issue addressed under other legislation.
- 7.6.2. As already reported, the bicycle parking provision is acceptable. A total of eleven car parking spaces are provided – one of which is for electric vehicle charging, one is for visitor parking and another is an accessible parking space. There are a total of nine apartments and I consider it appropriate that nine parking spaces should be provided. The electric charging space should be allocated as a residential parking space and all spaces should be designed to accommodate electric charging. National Policy is to stop the sale of fossil fuelled cars by 2030 and it is therefore likely that more than one electric charging point will be required in the short to medium term.
- 7.6.3. The design of the revised front boundary, necessary to accommodate the new entrances, is considered to acceptable.

7.7. Other Issues

- 7.7.1. I have already referred to the acceptability of the demolition of this house. This unit is not a protected structure and no importance has been made on it in the county development plan or the Goatstown Local Area Plan. Its demolition is acceptable in the context of providing for an increased density and the development ensures that the residential character of the area is retained.
- 7.7.2. Comment has been made about the quality of public transport in the area. There is a bus stop/ shelter immediately outside the site and whilst I accept that this is not a

high frequency service, the development of sites such as this ensures the viability of such bus services providing for additional usage. I note that a cycle track is provided along the front of the site and the proposed development includes suitable measures to encourage the use of sustainable forms of transport.

- 7.7.3. No concerns in relation to flooding or water supply were raised by the Drainage Section or Irish Water. Irish Water did refer to capacity issues in the combined sewer, on receipt of further information, Irish Water report that the development can be accommodated subject to upgrades in the network, a contribution would be required from the applicant towards these improvements.

7.8. Appropriate Assessment Screening

- 7.8.1. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the Goatstown Local Area Plan 2012, extended to 2022, relevant National Guidelines and the zoning of the site for residential purposes, to the location of the site in an established urban area within walking of public transport and to the nature, form, scale, density and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential, visual or environmental amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on the 28th of June 2019 and as amended by the further plans and particulars submitted on the 7th of February 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This permission is for nine residential units in the form of 3 no. one bedroom units, 4 no. two bedroom units and 2 no. three bedroom units. The layout shall be as per Drawing No. DK.19.AI/04 – Proposed site layout (Block) Plan received by the Planning Authority on the 7th of February 2020.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Prior to the commencement of development, the developer shall provide, for the written agreement of the Planning Authority:</p> <ol style="list-style-type: none"> a) The front/ south eastern elevation shall be revised to incorporate a light brown brick similar to that found in the immediate area. This may be provided on the projecting first and second floor level south eastern elevation. b) Full details of the proposed external design/ finishes in the form of samples and on-site mock-ups. These details shall include photomontages, colours, textures and specifications. c) The apartment terrace/ balcony railings/ supports shall be painted/ coated metal and shall not be unpainted galvanised metal railings. d) Full details of the materials to be used as screening as indicated on Drawing No. DK.19.AI/17 – Proposed Window 1st and 2nd floor.

	<p>Reason: In the interest of visual amenity.</p>
4.	<p>a) The internal road network serving the proposed development, including turning bays, parking areas, footpaths and kerbs, and the junction with the public road to the shall be in accordance with the detailed standards of the Planning Authority for such works.</p> <p>b) A total of 11 parking spaces to be provided, one to be fully accessible, one to be for visitor parking and the remaining nine to be for resident parking.</p> <p>c) All parking spaces shall make provision for electric vehicle charging.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
5.	<p>Proposals for a development name, unit numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs and apartment unit numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
6.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
7.	<p>The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.</p>

	<p>Reason: In the interest of public health.</p>
8.	<p>The landscaping scheme shown on Drawing No: DK.19.AI/16, as submitted to the Planning Authority on the 7th day of February 2020 shall be carried out within the first planting season following substantial completion of external construction works.</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 five 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>Reason: In the interest of residential and visual amenity.</p>
9.	<p>a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.</p> <p>b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.</p> <p>Reason: To protect trees and planting during the construction period in the interest of visual amenity.</p>

10.	<p>Vegetation clearance and tree removal shall take place outside the bird breeding season (March 1st – August 31st).</p> <p>Reason: To protect birds and bird breeding habitats during the nesting season.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
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 commencement of development. This plan shall provide details of intended construction practice for the development, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
13.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p>

	<p>Reason: In the interest of sustainable waste management.</p>
14.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
15.	<p>(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company</p> <p>(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
16.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>
17.	<p>Prior to 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</p>

	<p>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>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
18.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

Paul O'Brien
Planning Inspector

1st September 2020