



An  
Bord  
Pleanála

## Inspector's Report

### ABP-307577-20

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<b>Development</b>	Demolition of existing structures and construction of 9 dwellings.
<b>Location</b>	Dublin Road, Rahanine, Rochfortbridge, Co Westmeath
<b>Planning Authority</b>	Westmeath County Council
<b>Planning Authority Reg. Ref.</b>	196253
<b>Applicant(s)</b>	Clear Premier Homes Ltd.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To refuse.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Clear Premier Homes Ltd.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	25 <sup>th</sup> November 2020.
<b>Inspector</b>	Deirdre MacGabhann

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## 1.0 Site Location and Description

- 1.1. The 0.4047ha appeal site lies to the north east of Rochfortbridge in County Westmeath. It lies to the north of the R446 the regional road which connects Rochfortbridge, Milltownpass and Kinnegad. The R446 runs parallel to the M6 to the south of Rochfortbridge. The rectangular site comprises a derelict residential property to the front of the site and its front and rear garden (now overgrown).
- 1.2. The site lies on the edge of the town, immediately east of Derrygreenagh Park residential estate, a designated Architectural Conservation Area, and just inside the 50kph speed limit zone of the village. A small retail/commercial area lies c.360m to the south west of the appeal site. A footpath runs along the northern side of the R446 from the retail/commercial area to Derrygreenagh Park. The footpath on the southern side of the R446 runs from this retail/commercial area to finish opposite the northern boundary of the appeal site. A right turning lane for south bound traffic on the R446 commences at the mid-point of the site (as if faces the R446) to facilitate access to Derrygreenagh estate.

## 2.0 Proposed Development

- 2.1. The proposed development, as revised by way of significant further information (re-advertised on the 20<sup>th</sup> December 2019 and 25<sup>th</sup> April 2020) comprises the demolition of the existing derelict property and the construction of 9 no. residential dwellings. These comprise 6 no. semi-detached two storey dwellings and 3 no. detached two storey dwellings. The properties are arranged to the front of the site (1 x Type C, detached unit) facing the R446, along the western side of the site (6 x Type B, semi-detached units) and across the top of the site ( 2 x Type A, detached units).
- 2.2. Access to the site is via an internal estate road off the regional road, which runs along the eastern side of the site. The existing right turning lane, will be moved north and facilitate access to the appeal site. A two metre footpath is proposed along the western side of the internal estate road and turning head in front of the detached properties (Type A). A 2m high capped wall is proposed along the western site boundary and post and rail fencing, with standard trees and hedging, elsewhere. Along the front of the site (unit 1) and in front of units 8 and 9, a low stone wall, with railing above is proposed. A footpath extends from the site to the west, to the

entrance to Derrygreenagh Park estate, and an uncontrolled pedestrian crossing is proposed at the southern boundary of the site, connecting the footpath to the southern side of the R446.

2.3. Water supply for the development will be from a new connection to the public main. Waste water will be discharged via a new connection to the public sewer. Surface water will be disposed of into the public sewer after attenuation on site. All dwellings will have a rainwater harvesting system and driveways of Type A will have permeable paving.

2.4. Accompanying the planning application is:

- Section 97 Application for Certificate of Exemption.
- Site/tree assessment report.
- Design Risk Assessment and Design Review for access and pedestrian crossing to proposed residential development.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

3.1.1. On the 19<sup>th</sup> June 2020, the planning authority decided to refuse permission for the development on the grounds of traffic hazard and pedestrian safety.

*‘The proposed access junction and uncontrolled pedestrian crossing are not in accordance with design standards and will result in a development that is harmful to roadway safety by reason of traffic hazard. Furthermore, the provision of a residential development without safe pedestrian connection into the settlement centre would be harmful to roadway safety by reason of traffic hazard and contrary to the objectives of the Westmeath County Development Plan 2014-2020 in relation to sustainable development and promotion of cycling and walking and is therefore contrary to the proper planning and sustainable development of the area’.*

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

3.2.1. Planning Reports

- 29<sup>th</sup> October 2019 – The report considers the development to be consistent in principle with the zoning of the site and objectives of the Development Plan for the town, but raises concerns regarding the form of the development (with rear gardens facing the eastern boundary of the site), its location on a prominent site, proximity to ACA, provision of public open space, impact on adjoining residential properties, loss of trees, landscaping and the matters raised in other technical reports (see below). The report recommends further information on these matters.
- 13<sup>th</sup> February 2020 – Considers that the revised design (with development provided with rear gardens facing the eastern boundary of the site) is not appropriate for the prominent site on the approach to the settlement, would visually detract from the ACA and the amenity of adjacent dwellings and would result in the loss of boundary trees. Recommends further information on these matters and concerns raised in technical reports (below).
- 18<sup>th</sup> June 2020 – Considers that the revised design respects and complements the form of Derrygreenagh Park ACA and is appropriate on the edge of the settlement, would not impact on the amenities of neighbouring dwellings and (subject to condition in respect of height side boundary wall to unit no. 7) that public open space is adequately overlooked. The report recommends refusing permission on the grounds of traffic hazard.

### 3.2.2. Other Technical Reports

- Fire (12<sup>th</sup> September 2019) – No objections subject to conditions.
- Housing (18<sup>th</sup> September 2019) – Applicant to submit details to comply with Part V.
- Area Engineer:
  - 14<sup>th</sup> October 2019 (not on file) – Recommends further information in respect of detail design of roads and footpaths, road drainage and surface water (sewer survey).
  - 15<sup>th</sup> January 2020 – Recommends clarification of FI, with applicant to provide dimensioned plan of junction with R446 and all road markings to comply with DN-GEO-0343, provision of footpath through

Derrygreenagh Park with necessary agreements from landowners and 3 visitor car parking spaces.

- 27<sup>th</sup> May 2020 – Considers the proposed uncontrolled pedestrian crossing to be undesirable at this location as the majority of conveniences lie on the north side of the R446, pedestrian refuge would be required in centre of road which would obstruct deceleration lane to Derrygreenagh Park; 2m footpath can be accommodated outside the front wall of Derrygreenagh Park; traffic calming gateway, island and speed limits need to be moved east to accommodate adequate taper deceleration lane and turning/lane queuing lane in compliance with DN-GEO-0360 and the applicant. Recommends further CFI regarding detailed design of junction layout at proposed entrance and willingness of applicant to construct or pay a levy for the construction of a footpath outside the wall at Derrygreenagh park.
- 17<sup>th</sup> June 2020 – Recommends refusing permission as applicant has not provided revised details of entrance to site or details of footpath through Derrygreenagh Park. Proposed entrance unacceptable, uncontrolled pedestrian crossing would require pedestrian refuge in centre of road which would obstruct the deceleration lane to Derrygreenagh Park.

### **3.3. Prescribed Bodies**

- None.

### **3.4. Third Party Observations**

- D. Leonard, Cllr. Emily Wallace, Cllr A. Duncan – Support the application.
- D. McNamara (Derrygreenagh Park Residents Association) – No details of boundary wall, proximity to green area used by children for play, and safety and maintenance of the wall in the longer term. Request block wall, to match that bounding the estate elsewhere, an increase in the height of wall to 2.5m and early completion of wall. Second submission – Do not give permission

for installation of footpath on lands (proposed by the applicant south of the site across the frontage of Derrygreenagh estate).

## 4.0 Planning History

4.1.1. The following planning applications have been made in respect of the site:

- PA ref. 19/6239 – Demolition of existing dwelling and construction of 9 residential units. Incomplete.
- PA ref. 09/4038 (PL25.234141) – Construction of 10 residential units. Refused permission by the Board, location of site in visually sensitive location, unattractive and inappropriate housing scheme which would detract from the character of the village and adjoining Architectural Conservation Area.
- PA ref. 07/4431 – Construction of 13 residential units. Refused permission on the grounds of substandard design and poor reference to the character of the existing village.
- 07/4412 – Construction of 15 residential units. Incomplete.

## 5.0 Policy Context

### 5.1. National Guidelines

- Design Manual for Urban Roads and Streets.
- TTI (June 2017), DN-GEO-0360, Geometric Design of Junctions.

### 5.2. Development Plan

5.2.1. The appeal site lies on land zoned 'Existing Residential' in the Westmeath County Development Plan 2014 to 2020. The objective of the zoning is to provide for residential development, associated services and to protect and improve residential amenity. Derrygreenagh Park is designated as an Architectural Conservation Area (see attachments) and is afforded protection under Policy P-BH2 of the Plan (see attachments). Policy P-TR2 of the Plan promotes the sustainable development of

walking, cycling and public transport as an alternative to the private car, including by facilitating and promoting the development of the necessary infrastructure.

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

- 5.3.1. The appeal site is >3km from any site of natural heritage interest (see attachments). The nearest European site comprises Lough Ennell Special Protection Area and Special Area of Conservation. It lies c.6.5km to the north west of the appeal site.

### **5.4. EIA Screening**

- 5.4.1. The proposed development is of a type that constitutes an EIA project (involving construction and demolition works) and is a sub-threshold development falling within Class 10(b)(i), Part 2, Schedule 5 of the Planning and Development Regulations, 2001 (as amended), construction of dwelling units. However, the development is well below the threshold set out in the Schedule, is a type of development which is not likely to give rise to the use of significant natural resources or the production of wastes, pollution or environmental nuisance and is proposed on land which was previously in residential use. Consequently, there is, therefore, no real likelihood of significant effects on the environment to warrant environmental impact assessment.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. First party grounds of appeal are:

- The site is zoned for residential development. Since the opening of the M6 traffic volumes are well below road capacity. Policies of the current Development Plan support the development of the town as a local based community rather than a dormitory town. The development is in accordance with the residential zoning of the site, housing yield set out in the County Development Plan for the site and has addressed the design issues associated with previous refusals on the site.



- There is an existing entrance to the appeal site which has existed for many years. The proposed development will intensify the use of the entrance, but safety is safeguarded by the following:
  - Access - Applicant has sought to comply with DN-GEO-03060, which replaces DN-GEO-03043 (Appendix Nos. 2, 3 and 4). R446 is a regional road and the appropriate standard is DMURS. The right turn shelter area proposed into the site from the R446, at 28m in length, is less than the 35m standard for national roads, but provides space for 2 cars and is more than acceptable for the regional road, volume of traffic on the road, scale of development and likely vehicle movements.
  - Pedestrian access from the development into the town – Provision of a footpath on the inside of the boundary wall fronting Derrygreenagh estate (over 200m) would require the agreement of the landowners and would take considerable time to achieve, compared to use of compulsory purchase powers. An area of 1.8m width lies immediately outside of the low boundary wall and gives a reasonable route to the village centre. Bollards along the edge of the area would allay safety concerns.
  - If pedestrian access outside the boundary wall is not acceptable (and the applicant acknowledges that it may not be suitable for vulnerable road users), a pedestrian crossing could be provided link the site to the pavement on the opposite side of the regional road (risk assessment of this option set out in Appendix No. 2 and No. 3). An uncontrolled crossing was considered to be more suitable from a risk assessment perspective and given the very limited number of people likely to be using it, the very good sight distances in both directions and the significant safety features on the regional road. The planning authority has not provided, and does not intend to provide, a transitional zone between the 80kph and the 50kph speed limit zones, which indicates that the existing road infrastructure is safe and capable of receiving a revised entrance.
  - It is not appropriate for the applicant to provide for the installation of the extensive footpath/deal with disjointed pedestrian infrastructure in

the village. The applicant would be willing to make a contribution under section 48(2)(c), for the upgrading of pedestrian infrastructure that would facilitate the development. In the short term an uncontrolled pedestrian crossing is more than adequate to deal with the proposed development.

- As an alternative, the applicant could provide 70m of footpath along the northern side of the R446 to the existing paved island and provide an uncontrolled crossing at this point. This would create a safe crossing point that would be further removed from the speed limit and make use of the existing central island. The cost of such provision would be substantial but could be offset by the reduction of other development contributions (details of alternative crossing Appendix 5).
- The applicant has purchased the site and discharged monies in respect of the derelict sites register. It seems a misuse of the planning process that such fines would be imposed for a site in which permission is now refused.

## 6.2. Planning Authority Response/Observations/Further Responses

- None.

## 7.0 Assessment

7.1. Having examined the application details and all other documentation on file, inspected the site and having regard to relevant planning policy and guidance, I consider that the main issues for this appeal relate to traffic and pedestrian safety. In coming to this view, I note that significant alterations have been made to the design of the development, since previous planning applications and that the development is consistent with the zoning of the site for residential development and with the character of the adjoining ACA.

### 7.2. Traffic Safety

7.2.1. Turning lane. In the vicinity of the appeal site the R446 is a long straight stretch of road, with good forward visibility and stopping sight distances. Collision data is set

out in Figure 2 of Design Review Report (Appendix 2 of appeal). It identifies one collision with minor injuries in the immediate vicinity of the site, and other incidents with minor injuries further south along the regional road (2005-2016).

7.2.2. Currently, on entering the urban area of Rochfortbridge, at the point of the 50kph speed limit zone, there is an existing traffic calming gateway and island which is central to the road (see photograph 1). Beyond the central island, there is a right turning lane for access to Derrygreenagh Park.

7.2.3. The applicant’s Design Review Report, Appendix 2 of appeal, states that the TII standards for road design, whilst not compulsory are more applicable due to the strategic nature of the road link which was part of the old National road network, and as such has a higher level of service, design speed and wider cross section. I would concur with this view.

7.2.4. DN-GEO-0360, Geometric Design of Junctions requires provision of a right turn area, queuing length (if required) and a deceleration length, which includes a taper (see Figure 5.23 attached). Section 5.6.11.1 of the guidelines state that the turning length shall be 10m irrespective of design speed etc. measured from the centre line of the minor road and for design speeds of 50/60kph a taper length of 5m and an overall turning lane length of 25m (see attachments). The proposed junction design, as set out in Site Layout Map General Details (drawing no. CPH.03) provides a sub-standard deceleration lane (see below).

<b>Feature</b>	<b>Design Standard</b>	<b>Proposed</b>
Turning length, min. (c)	10m	10m
Deceleration lane (b)	25m	15m
Direct taper (e) (included in b)	5m	5m
Turning lane length	35m	25m

7.2.5. It is acknowledged in the Design Review Report that the proposed right turning lane is below the 35m standard set out in DN-GEO-03060. It is also argued the Design Risk Report (Appendix 3 of appeal) and Supplementary Design Review (Appendix 4 of appeal) that:

- The R446 has been downgraded from its previous National Road status and now carries a much smaller volume of traffic on it, than it was originally designed and used for.
- There is good horizontal and vertical visibility in the vicinity of the appeal site with vision lines far in excess of requirements (up to 240m).
- There is highly unlikely to be demand for the right turn reservoir due to the small scale of the development and likely distribution of traffic, with most trips made in a southerly direction towards the M6/village.
- It is highly unlikely that the low level of traffic that the development will generate would have any significant impact on existing collision rate at the site.
- The proposed reservoir could provide for safe waiting of two vehicles, which is considered to be the worst case scenario for the development.
- The existing taper, north of the 50kph speed limit sign, at 150m is substantially greater than the required distance of 87.5m, for the 50kph speed limit zone and provides in excess of the required warning to oncoming traffic of the central refuge which regulates approach speeds.
- There is no provision for a 60kph transition zone between the speed limit zones, due to the local authority's assessment of the very high level of safety associated with the existing road.

7.2.6. Having regard to the foregoing, I would accept the points made by the appellant regarding the condition, design and low level of collisions associated with the existing road layout. However, I would nonetheless be concerned that the short deceleration lane, which includes the taper zone, situated in such close proximity to the transition between 80kph and 50kph, would give rise to an inherent additional risk to traffic safety, for example, with traffic unexpectedly decelerating rapidly to allow them to move into the short turning lane.

7.2.7. I note that the Engineer report of the 27<sup>th</sup> May 2020, considered that it would be desirable to relocate the traffic calming gateway, island and speed limits further east to accommodate an adequate taper deceleration lane and turning/lane queuing lane in compliance with DN-GEO-0360. This approach seems reasonable and would provide compliance with TII standard and for the long term safety of the road.

7.2.8. Pedestrian Crossing.

7.2.9. The proposed development comes forward in a national, regional and local planning context which supports a more sustainable approach to the street design in towns and villages, supporting walking and cycling and providing for the development of the necessary infrastructure.

7.2.10. The appeal site is located to the north of Rochfortbridge village and north of the local services, located c. 360m to the south of the site, on the northern side of the R446. In order to promote alternative transport modes, I consider that it is important to provide a safe means of passage to the village centre.

7.2.11. The proposed development includes arrangements for an uncontrolled pedestrian crossing to the south of the appeal site, to join the appeal site with the substantial footpath on the southern side of the R446. The Engineer's reports considered the crossing to be inappropriate for two reasons. Firstly, the desire line to local services and the village lies along the northern side of the road and secondly any crossing would require a pedestrian refuge which would obstruct the deceleration lane to Derrygreenagh Park.

7.2.12. As a consequence of the above, the planning authority sought further information of its provision north of the road, through Derrygreenagh Park. Given the location of existing services on this side of the road, I would accept that this approach would be the preferential way to connect the development to these services and the village. However, I would also accept that such a footpath within the estate this would require consent of the landowners, which currently is not forthcoming, and would be expensive relative to the modest size of the proposed development. I would accept therefore, that it would be a piece of infrastructure that would be difficult to deliver within the context of the proposed development.

7.2.13. With regard to the location of the uncontrolled pedestrian crossing and having regard to the width of the R446 and the location of the crossing in the right turn lane for Derrygreenagh Park, I would accept that in the interest of the pedestrian safety this would require a pedestrian refuge and that its provision would obstruct the right turn lane and be inappropriate.

7.2.14. In response to the appeal the appellant states that there would be sufficient space alongside the R446, for most of its length to provide a footpath (c.1.8m) external to

the estate alongside the R446, or which in the absence of a footpath would provide a reasonable route of access for pedestrians to the village centre, for example with bollards along the edge allaying any fears of pedestrian safety.

- 7.2.15. Again I would accept in principle that the provision of a footpath external to the estate, would satisfy any requirement to connect the appeal site to the village. In this regard, the Board may wish to include a development contribution to provide for an appropriate contribution for the construction of this footpath. However, any such condition would be dependent on the planning authority providing remaining funding and it may not in practice be implemented.
- 7.2.16. In response to the appeal, the applicant proposes a c.1.8m footpath along the northern side of the R446 for c.70m and provision of an uncontrolled pedestrian crossing at this location, to connect the site to the footpath on the southern side of the R446. The crossing would make use of the existing paved island in the centre of the roadway and would not interfere with any of the existing turning lanes. Further, the footpath on the southern side of the R446 is connected to the northern side of the R446 by an existing pedestrian crossing at the location of the commercial area. There is no response to the appeal by the planning authority or therefore any arguments against such arrangements and I would consider that the revised proposals provide a pragmatic approach to the provision of a safe pedestrian access to the village from the appeal site in the short term, and if necessary safe access in the longer term.
- 7.2.17. Having regard to the modest scale of the proposed development and the road works being carried out, notably the provision of 70m of footpath along the R446, largely outside the boundary of the site, I would recommend that the applicant is not required to make the financial contribution in respect of the roads element 'B' of the Westmeath Development Contribution Scheme (see attachments).

## 8.0 **Appropriate Assessment**

- 8.1. The appeal site is situated c.6.5km south east of Lough Ennell, a Special Area of Conservation (site code 000685) and a Special Protection Area (site code 004044). However, the site lies within the catchment of the River Boyne and associated European are >20km downstream. Further, water supply for the development will be

from a new connection to the public main, waste water will be discharged via a new connection to the public sewer and surface water will be disposed of into the public sewer after attenuation on site. Having regard to these design details (but even in their absence) and the distance of the site from downstream European sites, any discharges to ground are unlikely to give rise to any significant effects on water quality in downstream European sites. It is considered, therefore, that no Appropriate Assessment issues arise, and that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 9.0 Recommendation

- 9.1. I recommend that planning permission be granted for the proposed development subject to conditions.

## 10.0 Reasons and Considerations

Having regard to the detailed design of the proposed development, including junction design and arrangements for pedestrian access to the site, it is considered that the proposed development, subject to compliance with the conditions set out below, would not give rise to traffic hazard and would be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 19 <sup>th</sup> day of December 2019, 30 <sup>th</sup> January 2020 and the 24 <sup>th</sup> day of April 2020 and by the further plans and particulars received by An Bord Pleanála on the 15 <sup>th</sup> day of July, 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
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	<p>development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Revised drawings showing compliance with the following requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:</p> <p>(a) The access junction to the site shall be modified to provide the relocation of the traffic calming gateway, island and speed limits on the R446 further east to accommodate an adequate taper deceleration lane and turning/lane queuing lane in compliance with DN-GEO-0360 .</p> <p>(b) A 1.8m wide footpath shall be provided for a distance of 70m southwards of the site, on the northern side of the R446, and uncontrolled pedestrian crossing in accordance with the details shown in Drawing No. CPH.16-B 'Road Details, alternative pedestrian crossing with central refuse island option', submitted to the Board on the 15<sup>th</sup> July 2020</p> <p><b>Reason:</b> In the interests of traffic and pedestrian safety.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
4.	<p>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.</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 agreement(s) with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
6.	<p>Details of all boundary treatments to be used in the development, including boundary treatments between individual houses and those adjoining areas</p>



	<p>of public open space shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interests of residential amenity, visual amenity, ecological functioning and in order to adequately integrate the development within its setting.</p>
7.	<p>The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall include a timescale for its implementation.</p> <p>Any trees or plants which die, are removed or become seriously damaged or diseased, shall be replaced in the first available planting season with others of a similar size and species, unless the planning authority gives prior written agreement to any variation.</p> <p><b>Reason:</b> In the interests of visual amenity and ecological functioning.</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. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
9.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, 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>
10.	<p>Proposals for an estate/street name, house 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 house numbers, shall be provided in</p>

	<p>accordance with the agreed scheme. The proposed name(s) 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(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p><b>Reason:</b> In the interests of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.</p>
11.	<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, including hours of working, noise management measures and traffic management measures.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
12.	<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><b>Reason:</b> In the interest of sustainable waste management</p>
13.	<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,</p>

	<p>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>
14.	<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 (Class A Infrastructure) made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the 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><b>Reason:</b> 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>

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Deirdre MacGabhann  
 Planning Inspector

8<sup>th</sup> December 2020

