



An
Bord
Pleanála

Inspector's Report

ABP-308299-20

Development	Retention of basement development previously constructed with the planning references TA-40423 and TA-101059 and construction of a dwelling on each site (3 dwellings in total).
Location	4,5,6 Knightsbrook Place, Effernock, Trim, Co Meath
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	TA200911
Applicant(s)	Dovea Developments Ltd
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Dave Ryan and Others
Observer(s)	None
Date of Site Inspection	13 th of November 2020
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The subject site is located in the residential area of Knightsbrook to the south east of Trim. It is located on lands bordering the Knightsbrook golf course to the south. The development area (0.322ha) currently contains three partly built dwellings (foundation level). There is a beech hedge along the roadside frontage and a hedgerow along the southern boundary.
- 1.2. There is a local access road to the north of the site (Knightsbrook Way) with a cul-de-sacs at the southern end. The site is accessed via the cul-de-sac Knightsbrook Place. Beyond this road there is a small green area of public open space with detached dwellings either side.
- 1.3. The area appears suburban in character and there is a mix of semi-detached and detached dwellings and some low-rise apartment blocks further to north west. The dwellings to the south adjoining the subject site, are detached larger scale more individually designed dwellings. There is a house under construction to the west of the site and 3no.large occupied detached dwellings facing the cul-de-sac to the east side of the site. These are all larger scale properties and have gated access and balconies facing the landscaped golf course including water feature to the rear.

2.0 Proposed Development

- 2.1. This proposal seeks retention permission and planning permission to carry out development at sites at nos. 4, 5 and 6 Knightsbrook Place, Effernock, Trim Co. Meath as follows:
 - To retain the basement development previously constructed with a floor area of 190sq.m on each site 4, 5 and 6 with the planning references TA-40423 and TA-101059 and for planning permission to TA-101059;
 - Planning permission is sought to construct a dwelling on each site (three dwellings in total) 4, 5 and 6 with dormer space and two floor levels over the existing basement, having a floor area of 700.22sq.m (including basement).
 - Permission is being sought to connect to the public sewer and water services and to carry out all other works ancillary to the overall development. The site

access opens off an existing service road connecting with Knightsbrook Court and Knightsbrook Place.

- 2.2. Details have been submitted by Joseph O'Reilly Consulting Civil & Structural Engineers. Drawings include a Site Layout Plan, Floor Plans, Sections and Elevations showing the proposed development. A Drainage Layout has also been submitted.

3.0 Planning Authority Decision

3.1. Decision

On the 3rd of September 2020, Meath County Council, granted permission subject to 16no. conditions for the proposed development. These conditions generally concern design and external finishes, access and boundary treatment, construction works including restriction on hours of operation, disposal of waste and development contributions.

3.2. Planning Authority Reports

Planner's Report

This has regard to the locational context of the site, planning history and policy and to the inter departmental reports and submissions made. Their Assessment includes the following:

- The applicant is proposing to retain existing unfinished basement development that commenced on each site. It is proposed to construct and complete the dwellings on each site (nos. 4,5 and 6).
- They have concerns that the balcony feature of no.5 would cause overlooking of the private amenity space of nos. 4 and 6 and recommend a revised balcony to ensure no overlooking be conditioned.
- They consider the proposed dwelling designs to be acceptable in this location.
- They note that private open space is in accordance with standards. Public open space has been provided within the wider residential scheme and is sufficient to accommodate the proposed dwellings.

- The proposal would not result in overlooking or overshadowing.
- They recommend detailed design be submitted relative to the entrances and boundary treatment.
- They note that no report has been received from the Council's Transportation Department.
- They consider the proposal to connect to public water and sewer networks to be acceptable.
- They provide a breakdown of development contributions.
- They recommend that permission be granted subject to conditions.

3.3. **Other Technical Reports**

Water Services

They have no objections but recommend permeable paving to private car parking areas and works to comply with current drainage standards.

3.4. **Prescribed Bodies**

Irish Water

They have no objections subject to conditions.

3.5. **Third Party Observations**

Submissions have been received from local residents and have been noted in the Planner's Report. The issues raised are considered further in the context of the Grounds of Appeal and in the Assessment below.

4.0 **Planning History**

- TA191785 – Retention permission granted subject to conditions to Dovea Developments by the Council to retain the basement development with a floor area of 106.84sq.m previously constructed on the site under Reg.Ref. TA-40423 and TA- 101059 and for Planning Permission to construct a new

dwelling on the site with an attic space and two floor levels over existing basement, having a total floor area of 605.05sq.m, provision of domestic garage, connection to public services and all works ancillary to the overall development. The site access to open off an existing service road connecting with Knightsbrook Court and Knightsbrook Place. Reg.Ref. TA -191604 also refers.

- TA/101059 – Extension of Duration granted subject to conditions to Cusack Homes Ltd of Planning Permission TA40423 for 7no. 2 storey 4 bed houses with 1 car garage to the front of each house at Knightsbrook Place (formerly Iffernock TD.) Trim.

Condition no. 1 provided that this permission expire on the 19th of September 2015.

- TA/40423 – Permission granted by the Council subject to conditions (2005) to Cusack Homes Ltd for the construction of 43 residential units, 4 commercial units and associated site works and landscaping to include 10no. 2 storey 4 bed semi-detached houses, 18no. 2 storey 5 bed detached houses, 7no. 2 storey 4 bed detached houses with 1 car garages to the front of each house and 1 no. 3 storey units with 4no. commercial units on the ground floor and 8no. 2 bed apartments over. New road access from existing public road and new foul sewer connection to existing public mains.

An appeal to the Board PL17-214157 was subsequently withdrawn.

Copies of these Council decisions are included in the History Appendix of this Report.

5.0 Policy Context

5.1. National Planning Policy Context

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

- Design Manual for Urban Roads and Streets (DMURS) (DHPLG and DTTS 2019).

5.2. Meath County Development Plan 2013-2019

Section 2.3.3 refers to Residential Zoned Land Provision. This notes that a Town Development Plan is in place for Trim and that this details the land use zoning including that for residential use in the settlement.

Section 3.4.4 refers to Moderate Sustainable Growth Towns – Trim is included.

SS OBJ 11: To ensure that Moderate Sustainable Growth Towns develop in a self sufficient manner with population growth occurring in tandem with physical and social infrastructure and economic development. Development should support a compact urban form and the integration of land use and transport.

Housing

HS POL 2: To require a high standard of design in all new residential schemes that are built in a style and scale that is appropriate to the landscape setting.

HS POL 3: To integrate new housing into the existing social and urban fabric of the County's settlements details in Table 3.2.

Development Management

Chapter 11 contains the Development Management Guidelines and Standards. This includes regard to General Site Development Standards and to Residential Development. Regard is had to issues of Density, Design and Layout.

Section 11.2.2 refers to Residential Design Criteria and 11.2.2.2 provides the standards for Houses. Table 11.1 provides the minimum open space standards - 75sq.m for 4 beds or more. A minimum of 3.2m between detached dwellings is require.

Section 11.9 refers to Car Parking Standards.

5.3. **Trim Development Plan 2014-20 (as varied)**

The appeal site is governed by the policies and provisions contained in the Trim Development Plan, 2014-2020, under which the site is zoned 'A1 – *Existing Residential*'. The land use objective for such land is stated to be: "*to protect and enhance the amenity of developed residential communities*" and residential development is permissible in this land use zone. The adjoining lands to the south are zoned 'D1' for Tourism (golf course). The lands further to the west are zoned 'A2' – New Residential.

Chapter 6 refers to Design and Public Realm and includes regard for the Built form. Section 6.5 encourages high quality design in new development.

Reference is had to consistency with Chapter 11 of the Meath CDP which sets out Development Management standards for new planning applications.

5.4. **Natural Heritage Designations**

The site is to the south of the River Boyne and River Blackwater SAC and SPA (site codes 002299 and 004232).

5.5. **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**

David Mulcahy Planning Consultants Ltd have submitted a Third Party Appeal on behalf of Concerned Residents of Knightsbrook Place and Way. A list of the names of these residents is included in Section 7.1 of their Appeal Statement. Regard is had

to the locational context of the site, planning history and policy. The grounds of appeal include the following:

- The Appellants, state that they support the development of the subject site given its currently unfinished state and that it detracts from the visual amenity of the area. However, they are opposed to the development proposed under the current application.
- They highlight the recent of the Supreme Court in respect of the Balz Judgement. This refers to the relevant submissions being addressed. They submit that there is a notable absence of any discussion of the key issues raised in the submissions in the Planner's Report. The residents have been left with no option but to appeal the decision.
- There was no discussion about the principle of development in the Planner's Report as would be the norm for an assessment of a planning application.
- The proposed dwellings are far from standard and they note that each dwelling contains 8no. bedrooms with en-suites and that internal access to the bedrooms is via internal elevator. They consider that this is a material consideration relative to the use of the dwellings.
- Normally this type of development is associated with a guest house, Air BnB (possibly due to the proximity to the adjoining golf course) or some type of communal living.
- Whether the proposed dwellings might be used for apartments is also of concern. This would lead to an increase in density that would not be in character with the area. It also raises genuine concerns about a lack of off-street parking and the potential for on street-car parking.
- The proposed dwellings would not be in character with existing residential house types in the area, and they refer to design issues, in particular relative to roof type, set back and fenestration.
- They submit that the proposal would not meet the test of providing a high standard of design under Policy HS POL 2.

- The proposed development would represent an incongruous insertion into the established streetscape and would seriously detract from the visual amenity and character of the area and should be refused on this basis.
- A condition has not been attached to the permission to prevent multiple occupancy and to restrict to single dwelling use. In the event of a permission they strongly advise the Board to attach such a condition.
- The proposed development does not accord with proper planning and sustainable development of the area. They request the Board to overturn the Council's decision and refuse permission.

6.2. Applicant Response

Michael Allen, Architect, has submitted a response on behalf of the Applicants. This includes the following:

- The proposed 3no. dwelling houses offer a high standard of design and meet the requirements under Policy HS POL 2.
- They are of a similar height and width as the existing houses located to the east and west. The window designs have a vertical emphasis.
- There is adequate on-site parking to cater for the development of 3 no. dwellings. Additional parking can be accommodated if required and they attach a drawing.
- The proposed entrance porches compliment the designed elevations and are in keeping with the visual amenity and character of the area.
- The rooflines are simple without complicated detail and in character with the area. Dwellings will have environmentally suitable heat pumps and chimneys are not permitted under the regulations.
- The three storey dwellings will require appropriate fire escape routes. The installation of an elevator will facilitate movement within the building for residents and allow appropriate access for universal access.
- The applicants are fully aware that any commercial activity will require a further planning application.

- They ask the Board to take into account that there is a golf club located to the south of the proposed development; there is a detached house of substantial floor area under construction to the west of the proposed development; there are 3no. large houses located to the east of the proposed development and they note the design of these (photos included).
- They contend that the concerns raised by the appellants are not substantial and that the proposed infill development will be constructed in accordance with the conditions attached to a grant of permission.

6.3. **Planning Authority Response**

They have regard to the matters raised in the Third Party Appeal and are satisfied that all the issues outlined were considered in their assessment of the planning application and in the Planning Officer's Report.

They provide that it has however come to their attention that there is an error in condition no.2 of TA20091 regarding the omission of the proposed balcony to the rear of dwelling no. 5. This condition should include in the interests of the avoidance of overlooking to adjoining properties, the omission of all 3 balconies of the proposed dwellings. They request in the event of a permission, that this condition be revised to include this.

Subject to the amendment of this condition, they consider that the proposal is consistent with the policies and objectives as outlined within the Meath CDP 2013-2019 as varied.

7.0 **Assessment**

7.1. **Policy Considerations**

- 7.1.1. It is considered that the principle of development on this site has been established by the residential zoning and the planning history of the site. The issue is whether as an infill the proposed development would comply with the 'A1' zoning objective: *to protect and enhance the amenity of developed residential communities*. Also whether the proposed design and layout would comply with policy HS POL 2 of the Meath County Development Plan 2013-2019 (as varied) i.e: *To require a high*

standard of design in all new residential schemes that are built in a style and scale that is appropriate to the landscape setting.

- 7.1.2. Regard is also had to the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities, 2009* and accompanying Urban Design Manual. The general aim of these guidelines and its associated manual is to set out the key planning principles which should be reflected in development plans and local area plans to guide the assessment of planning applications for residential development in urban areas. Section 5.9 of the Guidelines indicate in relation to residential areas whose character is established by their density or architectural form that a balance needs to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill as well as residential development in serviced land.
- 7.1.3. It is also noted that some development has taken place on these sites and part of this development is for retention permission of the basement areas on each site, 4, 5 and 6. The issue with a retention permission is whether permission would have been granted in the first place had such unauthorised development not been constructed in the first place. Regard is also had to the Third Party submissions and concerns, including in particular relative to the design and layout and to potential usage of the buildings and to the impact on the character and amenities of the area in this Assessment below.

7.2. Design and Layout and Impact on the Character and Amenities of the Area

- 7.2.1. The Site Layout Plan shows the 3no. houses proposed facing the cul-de-sac Knightsbrook Place and with access via Knightsbrook Way. Knightsbrook golf course is to the south of the site. There is a large detached house being constructed to the west of the site and 3no. large detached houses to the east. The houses which include basement floor areas of 190sq.m for retention on each site (4,5 and 6 Knightsbrook Place) are currently constructed to ground level and the site appears as a building site. It is proposed to construct a new dwelling on each site with a dormer space and two floors over the existing basement, having a total floor area of 700.22sqm (including the basement). The proposed houses are identical in design and layout and are shown with shallow pitched roofs c.11m to ridge height. As

shown on the Floor Plans the basements are to include – gymnasium, storage and boiler areas. The ground floor is to include kitchen/living, sitting and dining rooms, 4no. en-suite bedrooms are shown on the first and second floors i.e 8no. en-suite bedrooms in total. The footprint of the first and second floors is shown set back 2m to allow for the first floor balcony area which is to extend the width of the house at the rear.

- 7.2.2. The Third Party is concerned that the design/exterior of the proposed houses will not be in keeping with other properties on Knightsbrook Place and will appear visually fundamentally different in a prominent location at the end of the cul-de-sac. This includes the roof design, set back and fenestration and the inclusion of large balconies at the rear. There is concern that the latter will lead to overlooking. They consider that the proposal will lead to an incongruous insertion into the established streetscape and would seriously detract from the visual amenity of the area. Also, that they would not meet the high standards of design envisaged by Policy HS POL 2 of the Meath CDP.
- 7.2.3. The First Party response provides that the proposed dwelling houses are similar in height and width to the existing houses in the immediate development. In addition, the windows have vertical emphasis appropriate to the house design. Also, that the proposed porch design detail is in keeping with the established character of the area. It is noted that there are no chimneys unlike the existing houses. It is provided that the dwellings will have environmentally suitable heat pumps and chimneys are not permitted to satisfy NZEB regulations. It is also noted that as the houses are three storey in height they will require appropriate fire escape routes. The installation of an elevator will facilitate free movement within the building for residents and allow for universal access.
- 7.2.4. The design of these houses will appear visually different to other larger detached properties in this estate. Seen together they will have an impact, although it is noted that they are at the end of a cul-de-sac. In view of the distance from properties in Knightsbrook Way, the set back from the site frontage, and compliance with the building line in Knightsbrook Place, I would not consider that they will have an adverse impact on adjacent properties provided quality external finishes are used.

7.2.5. The 3no. dwellings all have open space at the rear well in excess of 75sq.m. Concerns have been raised regarding potential overlooking. If the Board decides to permit I would recommend that it be conditioned that first and second floor side windows be obscure glazed.

I note the Council's condition no.2 regarding the balcony at the rear of the centrally located dwelling no. 5. In their response to the grounds of appeal they recommended that the balconies at the rear of all 3no. dwellings be omitted. I noted on site that some of the larger houses similarly facing the golf course had smaller balconies at the rear. If the Board decides to permit, I would recommend, that it be conditioned that the balconies be revised to ensure no overlooking of adjoining properties. In view of their location adjacent to the golf course, I would also recommend conditions regarding boundary treatment and landscaping.

7.3. Regard to Usage

- 7.3.1. The Third Party are concerned that there is a lack of clarity as to whether the 3no. units proposed are designed to be used as single family dwellings or are ultimately designed to be used as multi-occupation development. Regard is also had to the internal layout, including the no. of bedrooms/en-suites, use of elevators/lifts within the units etc. That the design appears more commercial i.e could facilitate apartment development and is fundamentally different from that originally approved in 2005 – Reg.Ref.TA40425 (subsequently Reg.Ref. TA101059 refers). They contend that this could ultimately comprise up to 24 apartments (based on 8no.ensuite bedrooms per unit) in 3no. apartment blocks or e.g. B&B type/assisted care type development and that this would result in a huge increase in density for the existing residential area which comprises larger family dwellings in this small cul-de-sac. Multiple occupancy is noted as a serious concern also relative to lack of parking facilities in the area. Also that a development of 3 large apartment blocks is better suited to an area with better connectivity and accessibility and that a small residential cul de sac is more suited to single residential units.
- 7.3.2. It is noted that the site description provides for 3no. dwellings in total, and that this proposal will result in sizable units with ample floorspace. The issue of potential use as apartments or other uses has not been raised in the description of development in

the public notices or in the First Party response to the grounds of appeal. Indeed, they stress that the applicants are fully aware that any commercial activity will require a further planning application. In view of the concerns raised if the Board decides to permit, I would recommend that it be conditioned that the use of the units be as single dwellinghouses, and that any subsequent change of use be subject to a further planning application.

7.4. Access and Boundary Treatment

- 7.4.1. The access roads are narrow and there are concerns about traffic management issues within the estate and that this proposal if for a use greater than 3no. family dwellings will result in additional parking issues, and difficulties for access for service vehicles leading to congestion. It is also noted that the site is within proximity (c.100m) to the busy Knightsbrook hotel and Golf Course. There is ample on-site parking for the 3no. dwellings, but this would be more restrictive for other types of development.
- 7.4.2. There is some lack of clarity in that the site description states incorrectly that the *site access opens off an existing service road connecting with Knightsbrook Court and Knightsbrook Place* and that the application is seeking access based on a road that is not extant. It appears that the only connection between these two estate roads is a small laneway consisting of a footpath and landscaping, resulting in the only access to Knightsbrook Place being via Knightsbrook Way, a small cul-de-sac road. There are three roads in the vicinity of Knightsbrook Place ie: Knightsbrook Court, Knightbrook Crescent and Knightsbrook Way. The Court and The Crescent only provide pedestrian access to Knightsbrook Court. The only road where vehicles can enter Knightsbrook Place is via Knightsbrook Way and while the former is referred to the latter is not referenced. I noted this on site and that there is a one-way system in operation, around the green area from Knightsbrook Place where the proposed dwellings access.
- 7.4.3. In addition, there are concerns that construction traffic will access the site via Knightsbrook Way and that this will represent a traffic hazard for existing residents. If the Board decide to permit there is a need for a condition relative to the provision of a Construction Management Plan to be included. I noted on my site visit that the

house to the west is currently being constructed. There is a cul-de-sac on either side of the access roads Knightbrook Way. Provided the proposal is for 3no. dwelling units, and relative to this level of usage, I would not have concerns relative to traffic or parking.

7.5. Drainage

- 7.5.1. Permission is sought to connect to the existing foul and surface water drains and to the existing watermain. The Planner's Report provides that the Council considers this to be acceptable.
- 7.5.2. The Third Party is concerned that if the proposal is to be used as apartment development as to whether the existing water/sewerage system will be sufficient to accommodate up to a total of 24 apartments. As noted above this proposal is not advertised for such a scheme and it is recommended that if the Board decides to permit that an appropriate condition to restrict to private dwelling use be included.

7.6. Screening for AA

- 7.6.1. The site is located c. 870m to the south of the River Boyne and Blackwater SAC and SPA. The Qualifying interests for the River Boyne and River Blackwater SAC (002299) are the Annex I habitats: *Alkaline fens*, *alluvial forests* and Annex II species: *river lamprey*, *salmon*, *otter*. For the SPA (004232) of Special Conservation interest, is the *kingfisher*. The standard conservation objective for all SAC's and SPA's is: *to maintain or restore the favourable conservation condition of the qualifying interest for which the SAC/SPA has been selected*.
- 7.6.2. Having regard to the nature and scale of the proposed development, on a fully serviced site and to the nature of the receiving environment, and proximity to the nearest European sites, I am satisfied that 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 or projects on a European site.

8.0 Recommendation

8.1. I recommend that permission be granted for the reasons and considerations below.

9.0 Reasons and Considerations

Having regard to the provisions of the Meath County Development Plan 2013 -2019 (as varied) and to the Trim Development Plan 2014-2020 (as varied) and to the nature and scale of the proposed development on residentially zoned land, 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. 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 and by the further plans and particulars received by An Bord Pleanála on the 4th day of November, 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.

Reason: In the interest of clarity.

2. The three number dwelling houses hereby permitted, shall each be used and occupied solely as single residential units, and shall not be sold, let or otherwise transferred or conveyed, save as single dwelling units.

Reason: To restrict the use of the dwellings and in the interests of residential amenity.

3. The proposed development shall be amended as follows:

(a) Details including the height of the privacy screens/walls proposed to the balconies to the rear of the dwelling units shall be agreed with the planning authority and these shall be permanently fitted with obscure glazing prior to the first occupation of the units and, thereafter, shall be maintained.

(b) The windows on the side elevations of the first and second storey levels shall be obscure glazed.

(c) Details of all site boundary treatment and landscaping shall be submitted.

(d) Rear garden boundaries shall consist solely of concrete block walling, rendered on both sides and capped.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

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

Reason: In the interest of the visual amenities of the area.

5. The vehicular accesses, serving the proposed houses, shall comply with the requirements of the planning authority for such road works.

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

6. 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 interests of public health and to prevent flooding.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

8. 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 interests of visual and residential amenity.

9. 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.

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 management measures, construction traffic management and off-site disposal of construction/demolition waste.

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

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

An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

Angela Brereton
Planning Inspector

18th of November 2020