



An  
Bord  
Pleanála

## Inspector's Report ABP-309033-20

<b>Development</b>	(1) Retain and complete residential development granted under Planning Ref 04/20 & 09/9001 with amendments, 23 no. dwelling units. (2) Permission for 7 no. dwelling units.
<b>Location</b>	Coill Darach, Bree, Castleblayney
<b>Planning Authority</b>	Monaghan County Council
<b>Planning Authority Reg. Ref.</b>	20290
<b>Applicant(s)</b>	GEDA Construction Company Ltd.
<b>Type of Application</b>	Retention and permission.
<b>Planning Authority Decision</b>	To grant with conditions.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Coill Darach Residents Group (Eimer McShane)
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	30 <sup>th</sup> March 2021.
<b>Inspector</b>	Deirdre MacGabhann

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## **1.0 Site Location and Description**

1.1. The 1.35ha appeal site is situated in Castleblayney, c. 800m to the west of the Main Street. It lies within an existing residential area, with access to the site off Upper Bree Road via the existing Coill Darach residential development. The proposed development will form an extension to the estate, with access to it from an internal estate road. To the north, east and south of the site are Ard na Lurgan, Rosevale and Knocktornagh housing developments. These are typically two-storey developments of semi-detached properties, with smaller numbers of detached and terraced units. Ard na Lurgan lies at a higher elevation to the appeal site.

1.2. The appeal site comprises:

- A fenced brownfield site with gated entrance from the internal Coill Darach estate road. House foundation bases and partially completed services are evident within the site.
- The area of public open space to the south west of the fenced site. This open space area serves the existing Coill Darach development. It is connected to an open space area to the north of Knocktornagh and Rosevale.

## **2.0 Proposed Development**

2.1. The proposed development, as amended by way of significant further information (advertised 30<sup>th</sup> October 2020) comprises the second phase of the Coill Darach housing development. It includes:

- The retention and completion of:
  - 23 residential properties (mix of single and two storey dwellings as detached, semi-detached and terraced properties).
  - Retention and completion of partially constructed infrastructure including foul and storm drains.
  - Minor amendments to vehicular roadways, pedestrian footpaths and site works associated with the above.

- Permission for 7 no. further dwellings (mix of single and two storey, detached and semi-detached units).
- The public open space to the south west of the dwellings (2,688sqm), which is altered to provide a turning head.

2.2. Total number of dwelling units to be provided is **30** (this includes provision of 3 no. social housing units). Water supply is proposed from the public mains. Wastewater will be disposed of into the public sewer. Surface water will be discharged into storm water sewer, via a new attenuation tank.

2.3. The planning application includes:

- Design Report.
- Road Safety Audit (Stage 1 and 2).
- Details of Surface Water Design.
- Landscaping Plan.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. On the 26<sup>th</sup> of November 2020, the planning authority decided to grant permission for the development subject to 18 no. conditions. Most are standard. Site specific conditions include:

- C1 to C3 – Development charge and bond.
- C10 – Requires works to be undertaken in accordance with the Road Safety Audit recommendations, governs arrangements for the management of surface water, standards for road works and arrangements for the completion of services.
- C13 – Requires details of fencing around the open space area at the entry to the estate to be provide to the planning authority for agreement in advance of construction.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- 11<sup>th</sup> September 2020 – Refers to the characteristics of the site , its context, planning history and objections/representations received. It considers that the principle of the development is acceptable in the context of the core strategy, strategic objectives for settlements and zoning of the site (almost entirely Residential A) in the County Development Plan. It assesses the merits of the development against technical standards within the Plan and requests further information on compliance with public and private open space standards, landscaping plan, revised design of corner unit, road safety audit, surface water drainage, traffic calming and pedestrian facilities, public lighting and issues raised in submissions.
- 24<sup>th</sup> November 2020 – Subsequent to the submission of FI, the Planning Report refers to the submission of further information and considers that the matters raised have been adequately addressed. The report recommends granting permission subject to conditions.

### **3.2.2. Other Technical Reports**

- Fire (5<sup>th</sup> August 2020) – No objections subject to conditions.
- Roads (24<sup>th</sup> August 2020) – Recommend further information on road safety audit, pedestrian crossing points, traffic calming measures, details of surface water drainage, attenuation of surface water and public lighting. Subsequent report (17<sup>th</sup> November 2020) raises no objections subject to conditions.
- Housing (25<sup>th</sup> August 2020) – Part V proposals acceptable subject to condition.
- Environment (28<sup>th</sup> August 2020) – No objections subject to conditions.
- Road Condition Report, Municipal District Office (28<sup>th</sup> August 2020) – Recommends further information in respect of SUDS, survey of existing storm drains, details of boundary walls and fences and footpath details. Subsequent report (23<sup>rd</sup> November 2020), no objections subject to conditions.
- Water Services (3<sup>rd</sup> September 2020) – No objections subject to conditions.

- Corporate Assets and Energy (18<sup>th</sup> November 2020) – No objections in relation to lighting, subject to conditions.

### **3.3. Prescribed Bodies**

- None.

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

3.4.1. Coill Darach Residential Group submits observations on the planning application and further information. Matters raised are:

- Development includes area of open space that serves the Coill Darach development.
- House types are different to those originally proposed and lack detail on the use of the properties. House type associated with social housing.
- Development forms part of a larger residential development, originally 106 units. Increase in density of development. Open space provision below Development Plan standard (20/ha larger settlements).
- Traffic and pedestrian safety concerns with increase in density, narrow roads, limited car parking and arrangements for car parking in proposed development.
- Increase in number of units will put additional pressure on waste and water supplies and adverse effects on amenities and community services.
- Impact on pattern and character of development in the area.
- Unit nos. 68 and 72 do not provide minimum private open space for 3 bedroom units (70sqm).

## **4.0 Planning History**

- PA ref. 04/02 – Permission granted for 106 dwellings on Upper Bree Road and 25 units off First Bree Road (a public road to the north of the appeal site).
- PA ref. 09/9001 – Permission granted for extension of duration of the above.

- PA ref. 13/73 – Permission granted for retention of development consisting of alterations to the boundary and access to a previously approved and completed house type D.
- PA ref. 14/256 – Permission granted for the alteration of PA ref. 04/20 and 13/73. This included omission of the appeal site and provision of 83 units on lands to be accessed from Upper Bree Road.

## **5.0 Policy Context**

### **5.1. National Policy Context**

- National Planning Framework (GoI, 2018).
- Sustainable Residential Development in Urban Areas (DHLGH, 2009).

### **5.2. Monaghan County Development Plan 2019 to 2025**

- 5.2.1. Castleblayney is identified in the current Monaghan County Development Plan as a Tier 2 Strategic Town. Strategic policies and objectives of the Plan (SHO 2 and SSO5) promote the development of Strategic Towns and settlements for residential, employment, retail and service centres. Section 2.4.2 of the Plan refers to the housing need demand assessment, the few new houses built in the County since 2013 and the absence of development of zoned land. It applies a density of 20 units per hectare in larger settlements to determine the housing land requirement for the Plan period and states that for the duration of the Plan, it will seek to promote growth in designated settlements by, amongst other things, adopting a flexible approach towards unfinished housing estates.
- 5.2.2. Policy CSP 7 states that proposals for residential development in designated centres will be determined in accordance with the provisions of the core strategy with regard to population growth, the ability of the proposal to enhance the character of the settlement, the demand for the proposed quantum and type of residential development within the settlement and compliance with the relevant development management criteria.



- 5.2.3. Policy RDP 3 generally requires a higher density of housing units and a mix of housing types in multi-unit schemes, including single storey units to create sustainable balanced communities.
- 5.2.4. The appeal site is zoned almost wholly for 'Proposed Residential A'. A small area of the south eastern part of the site falls within 'Existing Residential'. Objectives for the zonings are:
- Proposed Residential A – To provide for new residential development and for new and improved ancillary services.
  - Existing Residential – To protect and enhance existing residential amenities.
- 5.2.5. Open space standards are set out in Table 15.2 of the Plan. These include a requirement for 10% of open space for brownfield sites developed for residential purposes and otherwise a requirement for 15% open space provision for residential developments.

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

- 5.3.1. The appeal site lies c. 1.3km to the west of Muckno Lake, a proposed Natural Heritage Area (site code 000563). Nearest European sites, in the state, are >15km (see attachments).

### **5.4. EIA Screening**

- 5.5. The proposed development is of a type that falls within Part 2 of the Schedule 5 of the Planning and Development Regulations 2001 (as amended), Class 10 Infrastructure projects, construction of dwelling units. However, it falls well below the threshold value for development that would trigger EIA (500 units) and, by virtue of the type of land use proposed, will not involve the use of significant natural resources or the production of significant waste, pollution or nuisances. Furthermore, the development would be located within an existing settlement, on a brownfield site and integrated with existing services. Having regard to the above, I consider that there is therefore 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**

6.1.1. The third party appeal is made by residents of the existing Coill Darach Development. It repeats matters raised in observations:

- Inadequate provision of public open space. Development is not a brownfield site but developed originally as a greenfield site. 15% open space provision applies. Open space serves an additional 7 no. units.
- Inappropriate mix of house types. Lack of 4 bedroom units in the area. Existing 4 bedroom units in Coill Darach, constructed with a garage provides further flexibility for buyers. Previously permitted development on the site would provide 4 no. 3 bedroom units and 19 no. 4 bedroom units.
- Inappropriate density of development. Development plan refers to a density of 20 units/ha in larger settlements. Proposed development is 24.2 units/ha and does not compare favourably with adjacent development (higher density, lower percentage of public open space). Increase in density on the appeal site is greater, 30 units proposed compared to previous 23.
- Impact on character of existing development. Character of proposed house types differs from those in Coill Darach and those originally permitted on the site (3 and 4 bedroom two storey detached and semi-detached units with expansive private amenity space, replaced with 2 and three storey detached, semi-detached and terraced development, 2 and 3 bedroom units with limited private amenity space). Contrary to Policy CSP 7 of the County Development Plan, the development does not enhance the character of the settlement.
- Traffic/pedestrian safety concerns. Increase in density will lead to increase in traffic and risk of accidents (already narrow roads and limited parking available). Parking provision for 8 no. units results in additional vehicle movements with second car blocking first parked car. Safety concern not raised in Stage 1/2 Road Safety Audit.
- Completion of development/collaborative approach. Favour completion of Coill Darach but in accordance with original plans for the development.

## 6.2. Applicant Response

6.2.1. The applicant makes the following response to the appeal:

- Open space. Brownfield sites are defined in the Monaghan CDP (section 15.2.4) as land which has been subject to building, engineering or other operations. At pre-planning meetings, and in view of the nature of the existing site, it was agreed that the development would constitute a brownfield development i.e. requiring 10% open space. Topographical survey identifies:
  - Actual open space provided for the site as outlined in PA ref. 20290 is 2,685sqm, total site area 13,556sqm (19.81%)
  - Actual open space provided for whole Coill Darach site once complete is 4,968sqm, total area 47,697sq (10.42%).
- Housing types. Mix of units is best suited to current housing needs and complies with Policy RDP 3 and section 15.7.4 of the County Development Plan. Average household size in Ireland is 2.75 persons and is anticipated to reduce further. Existing foundations and 'Quality Housing for Sustainable Communities' and economic viability of 4-bed house constrain the design of the development.
- Local pattern of development/housing densities. Housing density on PA ref. 20290 is 22.14/ha which is similar to surrounding developments. Density of completed Coill Darach development will be 23.69/ha a 7% increase from the adjacent Knocktornagh housing development. This is consistent with NPF National Policy Objective 35 to increase residential density in the State and a greater proportion of development in existing urban areas/brownfield sites. Sustainable Residential Development in Urban Areas provides a density of 20-35 dwellings/ha in edge of centre sites.
- Character of development. Form, scale, character and features of proposed house types largely reflect and will complement existing houses in Coill Darach (see attachments to response) and provide a new social dynamic. All dwellings have sufficient open space.
- Traffic/pedestrian safety. All recommendations of the Road Safety Audit have been taken on board.

- Completion of development/collaborative approach. In the interest of all parties to complete the housing development. Applicant has endeavoured to provide high quality development. First phase of the development is a success with no vacancies and little turnover. Original application has been amended to reflect housing needs in the local community.

### 6.3. **Planning Authority Response/Observations/Further Response**

- None.

## 7.0 **Assessment**

7.1.1. Having examined the application details and all other documentation on file, and inspected the site, and having regard to relevant planning policy and guidance, I consider that the main issues in this appeal are:

- Density and open space provision.
- House types and impact on the character of the area.
- Traffic/pedestrian safety.

### 7.2. **Density and open space provision**

7.2.1. Density. The appeal site comprises an area of 1.35ha and a gross floor area of development of 768.46sqm. This equates to a density of 22 units per hectare. However, the site area includes part of the public open space provided as part of the parent permission, PA ref. 04/20 and should properly be considered as part of this larger development. The site referred to under PA ref. 04/20 includes the appeal site and land to the southwest of it, with 106 units accessed from Upper Bree Road (Coill Darach development) on a c.4.7ha site, giving a density of c.22.5 units/ha. In this instance the applicant proposes 30 units (an increase of 7 units from those previously permitted on the site). This would result in a density of c.24 units/ha on the c.4.7ha Coill Darach site.

7.2.2. The proposed density therefore does marginally exceed the density of the development originally permitted under PA ref. 04/20 and nearby developments (e.g. Knocktornagh and Rosevale – see Appendix A of appeal). It also exceeds the

density used in the County Development Plan to calculate the requirements for housing land i.e. 20 units/ha (sections 2.4.2) in larger settlements. However, I am mindful of:

- a. The overriding policies of the National Planning Framework, which promote higher residential densities in urban areas in the interest of compact growth and sustainable development,
- b. Policy RDP 3 of the County Development Plan which requires a higher density of units in multi-unit residential schemes, and
- c. The guidelines provided by government on Sustainable Residential Development in Urban Areas which encourage densities of 20-35 units/ha in outside existing centres (Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas).

7.2.3. Having regard to the foregoing, I consider that the proposed density of development at c.24 units/hectare, is not unreasonable in principle or excessive in practice. I consider the matter of impact on character of the area, that follows as a result of increase in density, below.

7.2.4. Open space. The Coill Darach development is served by two principal areas of open space, one to the east of the entrance to the estate and one to the south west of the appeal site. It also includes small pockets of incidental open space. The Open Space Plan (FI, drawing no. 5118-20-PL-023) indicates that the area of the open space adjoining the appeal site would be 2,688sqm (with completion of the proposed development) and the area to the east of the entrance to the estate is 1,692sqm. Total open space, including incidental open space (4,968sqm) is stated to comprise 10.42% of total development area (47,696sqm). The drawing submitted is not to the stated scale, but the reported areas would appear to be correct. If the incidental open space is omitted, the two larger areas of open space comprise 9.2%. There is a small area of incidental open space that immediately adjoins the open space to the south west of the site, and this could reasonably be included in the calculation of this area (153sqm), providing 9.5% of overall site area as open space.

7.2.5. Reflecting national guidelines, policies of the County Development Plan require provision of 10% of site area as open space in residential developments on brownfield sites and 15% for other residential developments. It is stated by the

applicant that the area was considered by the planning authority to be a brownfield site and I note that in their report they deem the level of provision to be acceptable having regard to certain factors. These include section 2.4.2 of the County Development Plan, which encourages a more flexible approach to the development of unfinished housing estates and brownfield sites, the quality and accessibility of open space provision and the additional areas of passive recreation provided which contribute to the character of the development.

- 7.2.6. Given the longstanding nature of the incomplete development on the appeal site, and policies of the County Development Plan which seek to encourage the development of such sites, I do not consider it unreasonable that the appeal site is regarded as a brownfield site. However, I am concerned that the level of usable open space provision is less than the 10% standard. The Board may wish to address this by omitting a unit(s) from the scheme. However, the site is constrained by its configuration, relationship with adjoining development and the location of the existing area of public open space within/adjoining the site. There may be merit in omitting, for example, units 112 and 113 and providing a turning area in this location and increasing the area of open space by removing the turning area from it. However, this may cause anti-social issues in this corner of the development (as it would not benefit from substantial overlooking). Further, as the total area of open space falls just short of the required 10% and the development as a whole has the benefit of a number of pockets of incidental open space and benefits from connectivity to open space outside of the Coill Darach, I consider that in this instance such omission is not necessary, and the shortfall is not unreasonable.

### **7.3. House types and impact on the character of the area.**

- 7.3.1. The proposed development comprises a mix of detached, semi-detached and terraced dwellings with four no. single storey units and the remainder two storey units (26 no.). The dwellings are 2 and 3 bedroom units and are smaller than those in the original estate, which comprise a mix of 3 and 4 bedroom dwellings (32 no. and 51 no. respectively). The proposed dwellings also, typically, have smaller private open space areas. Whilst most of these comply with development plan standards, I would be concerned that the 3 bedroom units, nos. 61 and 62 fall short of the 70m private open space requirement (private open space is indicated on

drawing 5118-20-PI-023 and is stated to be 70m+ for these units, however the drawings are not to the stated areas would not appear to be correct). This matter could be addressed by condition.

- 7.3.2. The applicant and appellant present different views on the demand for properties in the area. Notwithstanding this, the County Development Plan (Policy RDP 3) and the government's guidelines on Sustainable Residential Development advocate a mixture of housing types in multi-unit schemes to create sustainable balanced communities. The proposed development with its smaller dwellings and single storey units, is consistent with these policy requirements, and will add to the range of dwelling types in the area and support social integration, for example, potentially enabling elderly people in larger houses to down size to the single storey units.
- 7.3.3. The proposed dwellings will be finished in smooth render and blue/black roof tiles. Design features reflect those in the existing estate and are not unreasonable (see attachments to appeal). Having regard to the foregoing, I would not accept that the proposed development, albeit at a greater density, will adversely impact on the character of the or surrounding residential development.

#### **7.4. Traffic/pedestrian safety.**

- 7.4.1. The proposed development will introduce an additional 30 residential units to Coill Darach, an increase in 7 units over that originally permitted. The development provides two no. parking spaces per unit and for six units parking spaces are placed one behind the other (units 50, 64, 72, 107, 112 and 113). This may increase the potential for traffic manoeuvres.
- 7.4.2. The applicant's Stage 1/2 Road Safety Audit identifies features of the scheme which increase the risk of vehicle/vehicle and vehicle/pedestrian accidents and proposes measures to mitigate these. In addition, at the outset the report states that the proposed layout retains many of the features of the current layout. It is acknowledged that some of these are in excess of the design standards set out in the Design Manual for Urban Roads and Streets, they are acceptable given the context for the development and the short length of affected roads.
- 7.4.3. The recommendations of the audit have been accepted by the planning authority and included as conditions of the permission. Of note, condition no. 13(a), specifically

refers to the requirement for partial fencing/hedging of the open space area and provision of pedestrian crossing facilities at designated access points.

- 7.4.4. The Audit does not identify the arrangements for parking as a matter which is likely to give rise to a traffic hazard. Having regard to this finding, the absence of concerns raised by the planning authority, the small number of units affected by such arrangements and the measures proposed in the Stage 1/2 Audit to reduce the risk of accidents in the proposed development as a whole, I do not consider that there is a serious risk of accidents arising from these.

## **8.0 Recommendation**

- 8.1. I recommend that the Board grant retention/permission for the development subject to conditions.

## **9.0 Reasons and Considerations**

- 9.1. Having regard to the planning history and brownfield nature of the appeal site, its context within an existing urban area, adjoining an existing residential development that is served by shared open space, the detailed design, scale and form of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character or amenity of the area and would be acceptable in terms of residential density, open space provision and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **10.0 Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 30 <sup>th</sup> day of October 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
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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>Prior to the commencement of development, details of private open space provision for unit nos. 61 and 62, to comply with development plan standards shall be submitted the planning authority for written agreement.</p> <p><b>Reason:</b> In the interest of residential amenity.</p>
3.	<p>Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>i. Prior to the commencement of development, details of perimeter fencing/hedging around the existing open space area at the entry to the estate, in accordance with paragraph 2.5 of the Road Safety Audit, shall be provided to the planning authority for written agreement.</p> <p>ii. Prior to the occupation of any dwelling these arrangements and the associated pedestrian crossing points shall be put in place.</p> <p><b>Reason:</b> In the interest of traffic safety.</p>
5.	<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>
6.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall include a timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next</p>

	<p>planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of residential and visual amenity.</p>
7.	<p>Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>
8.	<p>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 accordance with the agreed scheme. 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 interest of urban legibility [and to ensure the use of locally appropriate placenames for new residential areas].</p>
9.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p>

	<p><b>Reason:</b> To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
10.	<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, 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 off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0900 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
12.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.</p> <p><b>Reason:</b> To ensure adequate servicing of the development, and to prevent pollution.</p>
13.	<p>All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
14.	<p>Surface water from the site shall not be permitted to drain onto the adjoining public road.</p> <p><b>Reason:</b> In the interest of traffic safety.</p>

15.	<p>Prior to the occupation of any dwelling unit, the recommendations of the Road Safety Audit shall be implemented in full, to the satisfaction of the Planning Authority.</p> <p><b>Reason:</b> In the interest of traffic safety.</p>
16.	<p>All roads, footpaths, parking areas, public lighting and underground services shall be completed prior to the occupation of any housing unit.</p> <p><b>Reason:</b> In the interest of orderly development and residential amenity.</p>
17.	<p>The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.</p> <p><b>Reason:</b> In the interest of amenity and of traffic and pedestrian safety.</p>
18.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> To ensure the satisfactory completion and maintenance of this development.</p>
19.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in "Recommendations for Site Development Works for Housing Areas" issued by the Department of the Environment and Local Government in November 1998, except where superseded by the planning authority's <i>Taking in Charge Policy</i> (WSTGC 2008) and <i>Storm Technical Guidance Document 2017</i>. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p><b>Reason:</b> To ensure that the development is carried out and completed to an acceptable standard of construction.</p>

20.	<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 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>
21.	<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><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

14<sup>th</sup> April 2021