



An
Bord
Pleanála

Inspector's Report

ABP-309325-21

Development	Construction of 25 no. dwelling houses
Location	Waterford Road , Carrickbeg , Carrick-on-Suir, Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	19601226
Applicant(s)	M2B Developments Ltd
Type of Application	Permission
Planning Authority Decision	Granted with Conditions
Type of Appeal	Third Party
Appellant(s)	Woodland Heights Residents Martin Lyons
Observer(s)	None
Date of Site Inspection	23 rd August 2021
Inspector	Caryn Coogan

1.0 Site Location and Description

- 1.1. The subject site is located in the town of Carrick On Suir on the southern side of the town across the River Suir.
- 1.2. It is accessed off the old Waterford Road (R680 – Regional Road) from a narrow field access positioned between two properties. The site is 0.76Ha, and is a type of backland site, with developments on all sides of the site and a narrow access way onto the public road. There are houses backing onto the site along all four boundaries, with a graveyard also contiguous to the site along its southern site boundary.
- 1.3. The site ascends away from the Regional Road towards the graveyard, with an 8metre increase in ground level between the front and rear site boundary. Along the southern site boundary there are extensive views north over the town. There is a significant drop in ground level along the southern site boundary from the graveyard into the site.

2.0 Proposed Development

- 2.1. The original proposal was for 25No. dwellings revised to 22No. dwellings by way of further information.
- 2.2. The development is a mix of terraced dwellings and semi-detached units, single storey. Dormer and two storey units, accessed off the Waterford Road. The layout is three rows of dwellings surrounding a central open space area.

3.0 Planning Authority Decision

3.1. Decision

Tipperary County Council granted planning permission for the proposed development on 19th of January 2021, subject to 23No. conditions.

Condition No. 2:-

Block A is amended to a terrace of 3No. dwellings through omission of unit 2 and redesign of the block. There shall be 5metres between the northern gable of the amended Block A and the site boundary to the north.

Block C shall be omitted and replaced with Block B

Block E shall be omitted and replaced with Block B.

A communal bin storage area shall be provided.

Parking provision shall satisfy Carrick On Suir Development Plan 2013.

Condition 5: Part V compliance

3.2. **Planning Authority Reports**

3.2.1. ***Planning Reports***

A summary of the main points raised in the assessment is as follows:

- The proposed development has been missed to include two storey and 1.storey dwellings, and single storey dwellings. The public open space is 17% of the site area. The density is for 34units per hectare which is recommended under government guidelines.
- The garden areas associated with a number of the dwellings are still small.
- There may be overbearing issues associated with adjoining properties due to lack of separation distance, a condition is recommended to increase separation distance by removing a number of dwellings.
- The bin storage for the entire development is not discreet and may interfere with residential amenities.
- The proposed entrance is off the R680 with adjustments to the kerbs and footpaths. The Roads engineers are satisfied with the proposal.
- Surface water drainage acceptable
- Boundary treatment acceptable.

3.2.2. ***Other Technical Reports***

Municipal District Office – Conditions to be attached regarding public lighting and footpaths. The attenuation tank will require significant construction works therefore this needs to be re-examined. The entrance to the estate to be designed in accordance with the requirements of the planning authority.

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

There was a plethora of third party objections to the proposed development mainly from residents of adjoining properties. Their concerns can be summarised collectively as follows:

- Boundary fencing
- Privacy
- Loss of light
- The proposal does not reflect the prevailing residential patterns or character.
- Traffic safety issues
- Site is a greenfield and used for amenity purposes
- Sightlines
- Waterlogging
- Public notice
- Construction works and traffic
- Density and layout

4.0 **Planning History**

4.1 **19600242**

Refusal for the development of 29No. dwellings on the site.

5.0 Policy Context

5.1. Development Plan

Carrick on Suir Town Development Plan 2013 as varied.

The northern and eastern portion of the site is zoned for **New Residential** with the density determined by the nature of the site.

The western portion of the site is zoned for **Social and Public** land use which is 'to provide and improve social and public facilities. Residential land use is open for consideration under this zoning.

7.4 Housing Development

The quantum of land at each location is listed below;

Table 7: Lands zoned for New Residential development, Phase 1

Phase 1 Lands	
Location	Area (ha)
Lands to the west of Cregg Road	4.34 ha
Lands to the west of Ballyrichard Road	3.73 ha
Land to the east of Cregg Road	8.73 ha
Lands north of Carrickbeg Cemetery	0.78 ha
Total	17.58 ha

Policy HSG 1: New Residential Development

It is the policy of the Council to facilitate sustainable housing development on new residentially zoned lands identified as Phase 1 subject to the relevant criteria set out in this Plan being satisfied. Where Part V of the Planning and Development Act 2000 (as amended) applies the application must also be supported by a Development Impact Assessment (DIA) (see Chapter 9).

The Council will consider new multiple unit residential development on lands zoned for Strategic Land Reserve (Phase 2) development only where the relevant criteria set out in this Plan are satisfied, the application is supported by a comprehensive DIA and where a Phase 2

Justification Test (see Chapter 9) demonstrates that one or more of the following circumstances applies:

(1) All phase 1 lands have been fully developed, or;

(2) All phase 1 lands have been fully committed to development (i.e. where planning permission has been granted and where construction is underway), or,

(3) In the case where all phase 1 lands have not been committed, it shall be proven that those uncommitted lands are unavailable for development or unserviceable.

AND

(4) The Phase 2 lands are readily serviceable and

(5) There is a proven demand for new development based on a demonstrated lack of availability of housing and of potential infill sites for residential purposes on lands zoned for town centre or existing residential use and/or

(6) There is an overriding justification for development on phase 2 lands based on an unforeseen demand for new housing.

Policy HSG 2: Urban Densities

It is the policy of the Council to encourage a range of densities and housing types having regard to neighbouring developments, the urban form of the town and the objectives of proper planning and sustainable development in order to provide a balanced pattern of house types throughout the town and within developments.

5.2 National Planning Policy

The following are relevant to this appeal:

The National Planning Framework includes a specific Chapter, No. 6 - '*People Homes and Communities*' which is relevant to this development. This chapter includes 12 objectives (National Policy Objectives 26 to 37) and the following are key to this development:

- **National Policy Objective 33** seeks to '*Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location*'.
- **National Policy Objective 35** seeks to '*Increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights*'.

Design Manual for Urban Roads and Streets (DMURS).

Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (DoEHLG, 2009) and its companion, the *Urban Design Manual - A Best Practice Guide* (DoEHLG, 2009).

Quality Housing for Sustainable Communities (DoEHLG, 2007).

Permeability Best Practice Guide (NTA, 2015)

5.2. Natural Heritage Designations

The closest area of natural heritage designation is the Natura 2000 site, Lower River Suir SAC (Site Code 002137), approx. 230 metres to the north.

5.3. EIA Screening

Having regard to the 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

6.1.(a) **Woodland Residents c/o Robert Sheehan** has taken this appeal on the following grounds:

- Under the terms of Condition No. 2 there has been an effort to amend that terrace of dwellings proposed and the distance between gable and housing (Block F). However, Block F will be extremely close to their dwelling. The distance on the map states 11.24metres from his house. This seems an unrealistic distance and there is no garden areas associated with the proposed dwelling. The proposed building appears to be built on top of the border property with the proposed dwelling in full view. The other residents of Woodland Heights got the satisfactory amendments carried out to ensure a reduced impact to their dwellings.

- Since only 2 units will be erected instead of 4 units could Block F be moved closer to Block E (Now Block B of 2 units). This would mean the proposed 18No units would be achieved. The proposition of Block A is set back and

6.1.(b) **Martin Lyons** has appealed the decision to grant on the following grounds:

- The proposed entrance is narrow and does not meet with basic guidelines or visibility splays
- Turning movements into the site will cause problems for on-coming traffic
- Lighting from the entrance is a concern for the adjoining dwelling
- The clay sewage pipe running inside the hedge at his property on the Waterford Road could be damaged by the proposed construction works.
- Daylight and sunlight into his house may be affected due to the proximity of the proposed development to his property. The appellant's house is on a lower site.

6.2. **Applicant Response**

The applicant has responded to both appeals stating:-

- The proposal creates no overbearing on the appellants property and Block F is adequately designed as a single storey unit to meet with the density requirements and scale of the site.
- The proposed access has been designed to meet with the DMURS requirements
- All works will take place within the site boundaries
- There is no overbearing of adjoining properties.
- The Board should consider in full the 22No. units proposed as part of the further information.

6.3. **Planning Authority Response**

There was no further response from the planning authority.

7.0 Assessment

The main issues are those raised in the grounds of appeal and the planning file. I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be assessed on appeal under the following headings:

- Zoning
- Design and Layout
- Impact on Adjacent Residential Amenity
- Other Issues
- Appropriate Assessment

7.1 Zoning

Under the provisions of the current Carrick On Suir Town Development Plan 2013 (as amended) the subject site which is located in the centre of the town, has two land use zonings. The two zonings are New Residential (the bulk of the site is covered by this zoning objective), and a small portion of the site is governed by Social and Public zoning objective. A residential land use is permitted under both zoning objectives. The subject site is a backland site surrounded by residential developments, therefore the proposed landuse is in keeping with the prevailing land use in the immediate area and the zoning objectives of the development plan.

The proposed development supports urban consolidation and use of available infrastructure, introducing two bed single storey units which will increase the diversity of housing types in this part of Carrick-on-Suir. The site has been earmarked in the development plan as Phase 1 New Residential Development, therefore the land was targeted by the planning authority for residential use in 2013 and has remained undeveloped to date. In my opinion, the residential use of this unkempt and overgrown site should be encouraged by the Board and considered favourably.

The principle of the proposed development is in keeping with ***The National Planning Framework***, Chapter, No. 6 - '*People Homes and Communities*' which is

relevant to this development. This chapter includes 12 objectives (National Policy Objectives 26 to 37) and the following objective is key to this development:

National Policy Objective 33 seeks to *‘Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location’*. The site supports urban consolidation with an appropriate density delivering a sustainable form of development.

7.2 Design and Layout

In the original application there were 25No. dwellings proposed in the form of 5No. terraces located along three site boundaries, which back onto existing residential properties. There was a high volume of objections to the proposal from third parties and the scheme was revised by way of further information. The revised scheme submitted to the planning authority on the 18th of November 2020 is an improved scheme, and I advise the Board to consider the merits of the revised design which is for 22No. dwellings in 6No. blocks. I will examine each block separately:

- (i) Block A – is a terrace of 4No. dormer bungalows each of which are three bedrooms. They have an eastern orientation with 11metres rear gardens. The front façade is contemporary and simple in design.
- (ii) Block B – is two semi detached bungalows each are small two-bedroom units with a western orientation.
- (iii) Block C -a small terrace of three bungalows, each of which are two bedrooms, stepped across the rising topography.
- (iv) Block D – a very plain and simple terrace consisting of 7No. two storey dwellings with a northern orientation, and south facing rear gardens backing onto a graveyard.
- (v) Block E -is a terrace of 4No.dormer bungalows, similar in design and elevation detail to Block A. Each of the units are 3No. bedroomed with a separation distance of 22metre from existing opposing windows.
- (vi) Block F – is 2No. semi detached bungalows with 12metre rear gardens backing onto dwellings along the southern site boundary.

The open space area is centrally located within the layout, and at 17% of the total site area it is a substantial space to cater for the proposed development. There is

not a good housing mix associated with the proposal as most of the dwellings are three bedroom units and 7No. units are two bedroom units.

I consider the site has a number of obvious constraints, which affect the design response to the scheme:

- it has no road frontage with only a 17metre opening onto the Waterford Road that will form the access to the scheme.
- The site rises steeply by 8mtres from the norther to the southern site boundary
- The site is surrounded on most of the perimeter by existing residential development backing onto it.

The proposed bin storage areas are placed to the front of dwellings throughout the scheme. This will look untidy and detract from the overall visual qualities of the scheme. There should be at least two or three large communal and screen refuge storage area that are accessible to the collection trucks. This issue formed part of Condition No. 2 and it should be agreed with the planning authority prior to the commencement of the development.

Overall, the proposed layout provides a safe, comfortable and functional living environment for future residents. The rear garden areas associated with the entire development will be afforded south facing sun. There is adequate carparking proposed to cater for the entire development.

7.3 Impact on Adjacent Residential Amenities

This appeal is from two third parties concerned about the impact of the development on existing and adjoining residential amenities. Of particular note is Condition No. 2 of the permission which requires the further omission of 4No. dwellings from the scheme presented on the further information, reducing the overall number permitted to 18No. units. I wish to examine Condition No. 2 in greater detail, as I consider it's imposition to be unnecessary and unjustifiable in planning terms.

Condition No. 2 requires a dwelling be removed from Blocks A and C, and Block E being replaced by a Block B. This is to reduce the potential negative impact on adjoining residential amenities. In my opinion, the further removal of 4No. dwellings is unwarranted and will not result in a significant improvement to the scheme or a reduction in impact to adjoining dwellings. The 22metre separation distance from opposing windows is provided for in the current scheme without the removal of the 4No. dwellings, and having regard to the orientation of scheme and its relationship to the south facing sun, the negative impact in terms of overshadowing and loss of light to neighbouring rear garden areas will be minimal, and non-material.

In terms of Block A, I consider the entire block should be relocated 5metres south into the open space area (which is 17% of total site area) away from the adjoining property to the north as it has a narrow rear south facing garden. The removal of a mid-terrace dwelling, as imposed by Condition No. 2, is unjustifiable in planning terms. If Dwelling No. 1, which is positioned on a higher ground level than the property to the north, were to remain at the proposed position there could be a material and significant loss of sunlight to the adjoining rear garden area as a result of the proposal. However relocating the entire block a further 5metres south of the existing site boundary and increasing the proposed 2.89m separation distance to 7.89metres will reduce the overshadowing impact significantly.

Block C and Block E are acceptable and a reduction in their scale and numbers will not materially impact on the amenities of the adjoining properties to the east and south.

In terms of Block F, this is two semi-detached single storey units. The modest units have a ridge height of 6.3metres which is low profile. The ground level on the subject site is lower than the existing ground level at the adjoining Woodland Heights, therefore the impact associated with Block F will be minimal and not a serious injury to existing residential amenities. The site sections clearly illustrate the profile of Block F relative to neighbouring properties and negligible impact to existing residential amenities in terms of loss of privacy or sunlight.

Drawing No. PL – 04 and PL-05 submitted with the Further information illustrate the site sections, which indicate the overall tiered impact of the proposed development across the site, and context/ impact to the adjoining properties as a result of the proposed development. Having regard to the constraints associated with the site (listed above) which includes the fact it is backland site and surrounded by residential properties I consider the proposed design and layout makes the optimum use of the site. On balance, I conclude having regard to the site constraints, the proposed development is respectful of the existing neighbourhood character and layout, and is acceptable in principle without the removal of any dwellings from the revised scheme submitted as further clarification (22No. units date stamped 18th of November 2020).

7.4 Other Issues

- The sightlines and access to the proposed development are acceptable in terms of sightlines for a central urban area. There are a multitude of individual entrances, and the Woodland Heights entrance in close proximity to the proposed site entrance therefore, traffic moves slowly along the street at this location, and turning movements are to be anticipated.
- The footpaths and kerbing need to be agreed with the planning authority.
- The necessity for an attenuation tank on the site is questionable given and the surface water drainage needs to be further considered between the developers and the planning authority.
- The boundary treatment proposals are acceptable.
- The bin storage and collection require further consideration as the current proposals will detract from the visual and amenity qualities of the estate. A condition can be imposed to this affect.
- The scheme should include the provision of electrical car charging facilities.

7.5 Appropriate Assessment

Notwithstanding the proximity of the development site to the Lower River Suir SAC, having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a fully serviced location within a built-up urban area with no hydrological pathway to any European site, no appropriate

assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. The planning authority's decision to grant should be upheld by the Board.

9.0 Reasons and Considerations

Having regard to the provisions of Objective 33 of the National Planning Framework, the Carrick On Suir Town Plan 2013 and the zoning of the site for residential purposes, to the location of the site in an established urban area within Carrick On Suir town centre and to the nature, form, scale, density and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10. Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on the 1st of December 2019, as amended by the further plans and particulars submitted on 19th of May 2020, and further clarification 18th 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.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>(a) The permission is for 22No. dwelling houses as per Drawing No. PL-03 submitted to the planning authority on 18th of November 2020.</p> <p>(b) Block A shall be repositioned 5metres further south in its entirety into the public open space area to ensure adequate separation distance from the existing dwelling north of the site. Full details of the revised layout shall be submitted to and agreed with the planning authority prior to the commencement of the development.</p> <p>Reason: In the interests of residential amenity and clarity.</p>
3.	<p>Prior to the commencement of development, the developer shall provide, for the written agreement of the planning authority, full details of the proposed external design/ finishes in the form of samples and on-site mock-ups. These details shall include photomontages, colours, textures and specifications.</p> <p>Reason: In the interests of visual amenity</p>
4.	<p>a) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed standards of the Planning Authority for such works.</p> <p>b) A Stage 3 Road Safety Audit in relation to all road works including the junction with the public road, shall be prepared and submitted for the written agreement of the Planning Authority prior to the commencement of development. Any necessary revisions to comply with the Stage 2 recommendations and/ or additions shall be agreed in writing with the Planning Authority.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
5.	<p>Footpaths shall be dished at road junctions in accordance with the requirements of the Planning Authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

	<p>Reason : In the interest of pedestrian safety</p>
6.	<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 dwelling unit.</p> <p>Reason: In the interests of amenity and public safety</p>
7.	<p>a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials [and for the ongoing operation of these facilities] for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</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. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>

9.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Full details of all surface water disposal, surface water management and all necessary legal entitlements to carry out works to adequately service the proposed development shall be agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
10.	<p>The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health</p>
11.	<p>To ensure full implementation of the proposed landscape plan, the developer is required to retain the services of a Landscape Consultant throughout the life of the site development works. A completion certificate shall be signed off by the Landscape Consultant when all works are completed and in line with the submitted landscape drawings. This completion certificate shall be submitted to the planning authority for written agreement upon completion of works.</p> <p>Reason: In the interest of amenity.</p>
12.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,</p> <p>(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works,</p> <p>(c) shall carry out licenced metal detection surveys (including the field boundaries to be removed), develop an archaeological and artefact strategy on the basis of the results and in consultation with the Department of Culture, Heritage and the Gaeltacht and the National Museum of Ireland,</p>

	<p>agree protective measures in advance of site preparation and construction works to ensure the preservation/ protection of archaeological features (burnt mound material) and archaeological monitoring of topsoil stripping (licenced under the National Monuments Acts 1930 to present), and</p> <p>(d) a detailed final report describing the results of all archaeological work carried out on site, including any subsequent archaeological excavation by hand and required specialist post excavation reports, shall be submitted to the relevant authorities following the completion of all archaeological assessment. All costs shall be borne by the developer in this regard.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
13.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity</p>
14.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
15.	<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</p>

	<p>Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
16.	<p>All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
17.	<p>(a) All areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.</p> <p>(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
18.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>
19.	<p>All of the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision</p>

	<p>of further electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of sustainable transportation.</p>
20.	<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>Reason: 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>
21.	<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 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 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>Reason: To ensure the satisfactory completion of the development.</p>

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

25th of August 2021