



An  
Bord  
Pleanála

## Inspector's Report ABP 310003-21

---

<b>Development</b>	Demolition of single storey dwelling and shed and construction of 12 no. dwellings.
<b>Location</b>	Johnstownbridge Road, Johnstown, Enfield, Co. Meath.
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	TA200317
<b>Applicant(s)</b>	Patrick Prendergast
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission with Conditions.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Noel Tierney
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	28 <sup>th</sup> September 2021
<b>Inspector</b>	Brendan Coyne

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	6
4.0 Planning History.....	10
5.0 Policy and Context.....	11
5.1. Development Plan.....	11
5.2. Natural Heritage Designations .....	14
5.3. EIA Screening .....	14
6.0 The Appeal .....	15
6.1. Grounds of Appeal .....	15
6.2. Applicant Response .....	15
6.3. Planning Authority Response .....	20
6.4. Observations .....	20
7.0 Assessment.....	20
8.0 Recommendation.....	29
9.0 Reasons and Considerations.....	30
10.0 Conditions .....	30

## 1.0 Site Location and Description

1.1. The site (1.45 Ha) is located on the eastern side of the Johnstown Road L-6230 (aka Johnstownbridge Road), c. 330 metres to the south-west of Main Street, Enfield in County Meath. The site contains a single storey detached dwelling known as 'Woodville' and a separate shed to its rear. The site contains woodland areas to the south-west and north-east of the dwelling, which are identified by the applicant as Woodland Areas A & B respectively. The site is relatively flat and bound by trees along the Johnstown Road, a mesh wire and post fence along the northern boundary and a block wall c. 1.9m high along its eastern side boundary. The site has a road frontage width of c. 190m and a total depth of c. 117m. Lands adjoining the site to the east contain a row of semi-detached two storey dwellings within the Glen Abhainn residential estate. These are identified as house nos. 19-27 Glen Abhainn Grove. A wooded area and house No. 8 Glen Abhainn Avenue adjoins the northern boundary of the site. Land adjoining the site to the south are wooded and undeveloped. A public footpath runs along the roadside boundary of the site along the Johnstown Road. A detached house is located opposite the northern section of the site. St. Mary's National School is located c. 200m to the north-east.

## 2.0 Proposed Development

### 2.1.1. Application as lodged on the 10/03/2020

Permission sought for the following;

- Demolition of an existing detached single storey dwelling and detached domestic garage/shed,
- Construction of 12 no. dwellings arranged in 2 no. two storey terraces (Blocks A & B) on a 1.45 Ha site comprising;
  - 2 no. four bedroom units,
  - 4 no. three bedroom units and
  - 6 no. two bedroom units.
- Proposed Block A (southern block) comprises;
  - 1 no. four bedroom end of terrace dwelling (143.02 sqm),

- 1 no. three bedroom mid terrace dwelling (143.02 sqm),
- 3 no. two bedroom mid terrace dwellings (82.08 sqm each) and
- 1 no. three bedroom end of terrace dwelling (143.02 sqm).
- Proposed Block B (northern block) comprises;
  - 1 no. three bedroom end of terrace dwelling (143.02 sqm),
  - 3 no. two bedroom mid terrace dwellings (82.08 sqm each),
  - 1 no. three bedroom mid terrace dwelling (143.02 sqm) and
  - 1 no. four bedroom end of terrace dwelling (143.02 sqm).

The proposed development also provides;

- 12 no. dwelling car parking spaces and 11 no. visitor car parking spaces including 1 no. wheelchair accessible parking bay (24 no. in total),
- 2 no. bin stores, 1 no. at each side of the entrance road.
- An area public open space (1214 m<sup>2</sup>) and public amenity spaces including all associated landscaping works,
- Boundary walls and fences,
- New/relocated entrance directly from the Johnstown Road.
- Internal roads, footpaths, surface water, foul water and potable water infrastructural works to connect the scheme to the existing mains services and public roads.
- All associated site works/services at lands.

**2.1.2. Revised Proposal as submitted by way of Significant Further Information on the 26/02/2021;**

- Revised red line boundary of the site extending onto lands to the north at Glen Abhainn housing estate.
- Provision of a cycle and pedestrian link to the adjoining Glen Abhainn housing estate to the north.
- Alterations to the internal layout and room sizes of the proposed dwellings.

- Alterations to the site layout including the relocation of the southern bin store.
- Other associated site and infrastructural revisions relating to water services, traffic and transportation.

2.1.3. Documentation submitted includes;

- Further Information response report,
- Engineering Report,
- Soil Infiltration Report,
- Tree Survey Report,
- Signed letter of consent from Meath County Council to carry out works within the ownership of the Council.
- Letter from Irish Water's providing a pre-connection enquiry in relation to a water and wastewater connection at Johnstown Bridge Road.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. Meath County Council GRANTED permission for the proposed development subject to 24 no. Conditions. Noted Conditions include:

- C. 2 The development shall be constructed and laid in accordance with the revised Site Layout Plan submitted to the Planning Authority on the 26/02/2021.
- C. 3 The total no. of dwelling units permitted shall be 12 no. units, in accordance with the revised Site Layout Plan submitted on the 26/02/2021.
- C. 4 The Applicant shall fully implement all the recommendations contained in the Tree Survey Report.
- C. 5 a) Prior to commencement, the applicant shall provide a breakdown of the impermeable, permeable open space areas within the proposed development and clearly outline the run-off coefficient which has been applied to the different surfaces within the proposed development.

b) Prior to commencement, present a specification for the proposed flow control device and agree the hydrobrake orifice size.

c) Prior to commencement, undertake all necessary remedial works to the existing surface water drain and culvert.

d) In order to isolate and carry out maintenance of the flow control device a penstock valve (or similar approved) shall be installed within the flow control chamber, on the upstream end of the manhole.

C. 8 Part V social and affordable housing requirements.

### 3.2. Planning Authority Reports

#### 3.2.1. First Report (12/06/2020)

- The site is subject to 2 no. zoning designations, as per the Enfield Written Statement 2013-2019 (as varied), as follows;  
'A1 - Existing Residential' - 'To protect and enhance the amenity of developed residential communities'.  
'F1 – Open Space' - 'To provide for and improve open spaces for active and passive recreational amenities'.
- The proposed development is acceptable in principle, in accordance with the zoning objectives of the site.
- The internal floor areas of Block A & B do not comply with the Quality Housing for Sustainable Communities, Planning Guidelines (2007), with particular regard to the aggregate living and bedroom areas.
- While not directly applicable, the proposed development is below recommended apartment standards in terms of aggregate floor areas for living / dining and kitchen areas and minimum bedroom size.
- The proposal complies with Development Plan standards with regards separation distances and private & public open space requirements.
- The proposal provides a density of 20 dwellings per hectare. Enfield is classified as a small town (local commuter town situated close to larger urban centres) in the

Development Plan settlement hierarchy for County Meath. A residential density in excess of 35 dwellings per hectare is encouraged in such settlements, particularly in town centres. Having regard to the location of the site, removed from the town centre and the character of the site and surrounding area, the density of the proposed development is acceptable in this instance.

- The quantum and layout of car parking provided is acceptable.
- The proposal does not provide adequate sightlines at the proposed new entrance.
- There is an objective to preserve trees along the road frontage of the site.
- The applicant should address the further information requested by the Transportation Department – see Section 3.2.5 below.
- The applicant should address the further information requested by the Water Services Department - see Section 3.2.6 below.
- The applicant should address the further information requested by Irish Water – see Section 3.2.7 below.
- With regards Appropriate Assessment, the Planning Authority concludes that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European site(s) and considers that a Stage 2 Appropriate Assessment (Nature Impact Statement) is not required in this instance.

**3.2.2. Further information was requested on the 12/06/2020 requiring the following:**

1. Address the Transportation Dept. requirements – see Section 3.2.5 below.
2. Provide adequate sightlines at the entrance to the site.
3. Demonstrate how the proposal adheres to the protection of trees on the site and clarify proposal for future access to woodlands. Submit a detailed landscape plan, prepared by a qualified and indemnified Arborist.
4. Submit a revised proposal whereby the internal floor areas of the proposed dwellings comply with the minimum internal space requirements contained in the Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007) and the recommendations set

out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018).

5. Address the Water Services Dept. requirements – see Section 3.2.6 below.
6. There are significant water and wastewater constraints in Enfield. The applicant shall submit a pre-connection enquiry to Irish Water and engage with Irish Water to determine capacity in the existing water and waste water disposal systems to enable connection of the proposed developments to these networks.
7. Respond to Third Party submissions received in relation to the proposed development.

### 3.2.3. **Second Report (06/04/2021)**

- Significant Further Information received.
- The red line boundary of the site has been altered and now extends onto lands in the control of Meath County Council at Glen Abhainn estate.
- The applicant has submitted a signed letter of consent from Meath County Council to carry out works under said lands.
- The revised proposal provides a cycle and pedestrian link to the adjacent Glen Abhainn housing development to the north.
- The proposed works extend onto lands zoned F1 - Open Space. Such works adhere to this zoning objective, which seeks '*To provide for and improve open spaces for active and passive recreational amenities*'. Cycleways / greenways and trail developments are uses which are permitted on such lands. The applicant has justified the removal of trees at this location in order to facilitate the said works.
- The Tree Survey report and Landscape Plan submitted is acceptable.
- The modified internal layouts / room sizes of the proposed dwellings comply with the Quality Housing for Sustainable Communities – Design Guidelines (2007).
- The applicant has submitted a Housing Quality Assessment, which is acceptable.
- The applicant has adequately addressed the Further Information request issues raised by the Water Services Dept.



- The applicant has presented a comprehensive response to issues raised in the 2 no. third party submissions received.
- In conclusion, the Planning Authority consider that the proposed development would not seriously injure the amenities of the area or lead to a devaluation of adjacent property, would not lead to the creation of a traffic hazard or traffic inconvenience and would be in accordance with the proposer planning and sustainable development of the area

#### 3.2.4. **Other Technical Reports**

#### 3.2.5. **Transportation Section:**

**First Report:** Further Information requested requiring the following:

1. Amend the turning bay to comply with the Recommendations for Site Development Works for Housing Areas.
2. Provide a 1m grass verge with a 2.5m wide concrete footpath along the full width of the public road frontage of the site. Footpaths within the site to be 2m wide minimum.
3. The main access point should be designed to comply with DMURS and facilitate pedestrian and cycle crossing points. Demonstrate that adequate sightlines can be achieved at the proposed access point. All works necessary to achieve sightlines to be shown within a revised red line boundary.
4. The road width should be increased to 6m to facilitate perpendicular parking. The communal parking area should not be constructed with permeable paving.
5. Investigate the possibility of providing pedestrian and cycle links on desire lines through the woodlands area and into the adjacent Glen Abhainn residential development.

**Second Report:** No objections.

#### 3.2.6. **Water Services Section:**

**First Report:** Further information requested requiring, inter alia, the following:

1. Provide details of the flow control device and associated chamber, including orifice size and discharge rate.
2. Provide BRE 365 results of the proposed attenuation system serving the site.
3. Upsize the proposed attenuation system by 20% to allow for climate change.
4. Provide permeable paving to private parking spaces only and not to areas to be taken in charge by the Local Authority.
5. Provide a pipe link through the permeable paving sub base from the roof water discharge to the main drainage network.
6. The attenuation system should be configured to achieve on-line treatment.

**Second Report:** No objection subject to Conditions.

#### 3.2.7. **Irish Water:**

**First Report:** There are significant water and wastewater constraints in Enfield. The applicant shall submit a pre-connection enquiry to Irish Water and engage with Irish Water to determine capacity in the existing water and waste water disposal systems to enable connection of the proposed developments to these networks

**Second Report:** No objection subject to Conditions.

## 4.0 **Planning History**

**P.A. Ref. TA181313** Permission GRANTED in February 2019 for the retention of various amendments to the existing detached dwelling and existing detached domestic garage/shed.

**P.A. Ref. 90/49** Permission GRANTED in April 1990 for the construction of an extension to the existing dwelling.

## 5.0 Policy and Context

### 5.1. Development Plans

- 5.1.1. **Meath County Development Plan 2013-2019** is the operative statutory plan for the area, at the time of writing this report.
- 5.1.2. The Board is advised that the **Meath County Development Plan 2021-2027** was adopted on the 22<sup>nd</sup> September 2021 and comes into effect 6 weeks from the date of adoption, i.e. the 3<sup>rd</sup> November 2021. Given that the newly adopted Development Plan has not come into effect at the time of writing this report, the proposed development under the subject appeal is assessed under the operative statutory plan for the area, i.e. the Meath County Development Plan 2013-2019.
- 5.1.3. The interim version of the adopted **Meath County Development Plan 2021-2027** (written statement and maps) is not available at the time of writing. In the absence of such, relevant policies and objectives under the adopted (yet to come into effect) Development Plan are not set out hereunder.
- 5.1.4. **Meath County Development Plan 2013-2019** - Relevant policies and objectives of include the following:

**Zoning:** The site is subject to 2 no. zoning objectives, as follows;

‘A1 - Existing Residential’ – ‘To protect and enhance the amenity of developed residential communities’. This relates to the land to the front and rear of the existing dwelling.

‘F1 – Open Space’ – ‘To provide for and improve open spaces for active and passive recreational amenities’. This relates to the Woodland areas A & B.

Section 2.9.6 Primary Land Use Zoning Categories

**Maps Based Specific Objective:**

Woodland Area B is subject to a Specific Objective to ‘Preserve Trees’.

**Section 3.4.5 Small Towns – Enfield**

Enfield is classified as a small town under the Development Plan. Relevant policy objectives include;

**SS OBJ 12** To ensure that Small Towns develop to cater for locally generated development and that growth occurs in tandem with local services, infrastructure and demand.

**SS OBJ 13** To ensure that Small Towns grow in a manner that is balanced, self sustaining and supports a compact urban form and the integration of land use and transport.

**SS OBJ 14** To ensure that in Small Towns, no proposal for residential development should increase the existing housing stock (including permitted units) of the town by more than 15% within the lifetime of the Development Plan.'

### **Residential Standards / Policies**

Chapter 11 Development Management Guidelines and Standards

Section 11.1 General Site Development Standards

Section 11.2 Residential Development

Section 11.2.2.2 (2) A minimum of 22 metres, between directly opposing windows shall be observed. Where sufficient private open space is provided and privacy is maintained, this depth may be reduced for single storey dwellings. Appropriate design solutions may be acceptable in other circumstances where the windows of non-habitable rooms are within 22 metres of each other.

### **Drainage & Flood Risk**

**WS POL 12** To consider proposals in line with the Interim and Permanent Water Services Arrangements outlined in this Development Plan for centres lacking in adequate treatment facilities and where the provision of such a facility/system does not affect the quality status of the receiving water as required under the Water Framework Directive. Such temporary provision will generally only be considered in locations which accord with the Regional Planning Guidelines for the Greater Dublin Area as outlined in the settlement, economic and core strategies of this Development Plan.

**Enfield Written Statement 2013- 2019** – contained in Volume 5 of the Meath County Development Plan 2013 - 2019

5.1.5. Strategic Policies include the following:

SP 1 To promote the future development of the town as a compact settlement with a pedestrian friendly environment, a legible and coherent physical form, and a variety of land uses and amenities.

SP 2 To protect the unique character of the town through the provision of appropriate infill development which has regard to the scale, character, topography and amenities of the town.

SP 3 To operate an Order of Priority for the release of residential lands in compliance with the requirements of CS OBJ 6 of the County Development Plan as follows:

- i) The lands identified with an A2 “New Residential” land use zoning objective corresponds with the requirements of Table 2.4 Housing Allocation & Zoned Land Requirements in Volume I of this County Development Plan and are available for residential development within the life of this Development Plan.
- ii) The lands identified with an A2 “New Residential” land use zoning objective but qualified as “Residential Phase II (Post 2019)” are not available for residential development within the life of this Development Plan.

HER POL 2 To have regard to the bio-diversity value of existing trees and hedgerows in areas that are liable to be developed.

**5.2. National Policy / Guidelines**

National Planning Framework – Project Ireland 2040.

Regional Spatial and Economic Strategy for the Eastern and Midland Region (2019).

Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).

Design Manual for Urban Roads and Streets (2019).

Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009).

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

### 5.3. Natural Heritage Designations

- 5.3.1. The closest Natura 2000 sites are the River Boyne and River Blackwater SAC (Site Code 002299) and SPA (Site Code 004232), approx. 9.5km to the north-west.
- 5.3.2. Carbury Bog NHA (Site Code: 001388) is located 8.8 km to the south-west.

### 5.4. EIA Screening

- 5.4.1. The proposed development falls within the category of 'Infrastructural Projects', under Schedule 5, Part 2 of the Planning and Development Regulations 2001-2020, where mandatory EIA is required in the following circumstances:

*10(b) (i) Construction of more than 500 dwelling units.*

*(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.*

- 5.4.2. The proposal is for 12 no housing units, on a site of 1.45ha. It falls below the above-outlined development thresholds and mandatory EIA is therefore not required.
- 5.4.3. In the case of sub-threshold development, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.
- 5.4.4. No EIA screening report was provided as part of the application. In this instance, where the subject site comprises zoned lands at the edge of the town, and where the site is not located in or adjacent to any environmentally designated sites, I consider the development would not be likely to have significant effects on the environment. An environmental impact assessment report for the proposed development is therefore not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. A third-party appeal was received from Noel Tierney, who resides at No. 28 Glen Abhainn Grove, which is a house adjacent the north-eastern corner of the site. The following is a summary of the grounds of appeal.

- Public Notice of the proposed development was not visible to the residents of the adjoining Glen Abhainn estate.
- The two protected wooded areas on the site are connected by a natural wildlife corridor which enables wildlife and local ecosystems to thrive. The proposed development would destroy this natural corridor and pollute and degrade the woodlands.
- Enfield sewerage system is full to capacity and is not due to be upgraded until 2023. Until this upgrade is completed, additional housing at Enfield should not be built as it would pose a serious threat to the health and safety of people living in Enfield.
- The proposed development would put a strain on the Primary Care Centre in Enfield which has little or no doctors.
- The Community Centre at Enfield does not have the capacity to cater for the increase in the young population that the proposed development would create.
- The appeal site is subject to flooding every year and floods frequently during the winter months.
- The proposed development would result in overlooking of neighbouring property.

## 7.0 Applicant Response

7.1.1. The response received from Declan Brassil & Company Ltd. representing the Applicant, is addressed under the headings below;

### 7.1.2. Residential Amenity

- The location, scale and form of the proposed development, consisting of terraced two-storey houses along the eastern section of the site, has due regard to the sensitive character of the site, development in the vicinity and the protection of the residential amenity of dwellings to the north and east.
- The boundary treatment between the rear gardens of the proposed units and the gardens of the Glen Abhainn estate to the east and north comprises an existing 1.9m high block wall.
- Separation distances between the proposed dwellings and neighbouring dwellings to the north and east are all in excess of the 22m separation distance standard for directly opposing upper floor windows in residential developments, as set out in Section 11.2.2.2 of the Meath County Development Plan 2013 – 2019.
- The rear elevation of the appellant's property is situated approx. 25-26m from the corner of proposed unit 12 within Block B.
- The gable end of proposed unit no. 12 contains 1 no. north facing upper floor bathroom window with obscure glazing, and the rear elevation of unit 12 contains windows for upper floor bedrooms only.
- The location and orientation of unit no. 12 would not overlook the rear elevation or garden of the appellant's property.
- Given the height and orientation of the proposed dwellings and separation distances provided, the proposed development would not adversely impact the appellant's or adjacent property in terms of overlooking, overshadowing or loss of privacy.

### 7.1.3. **Natural Heritage and Green Infrastructure**

- The central and eastern portions of the site are zoned objective 'A1 - Existing Residential' in the Development Plan 2013 - 2019.
- The northern and southern portions of the site consist of planted areas, with the northern portion integrated with the adjoining planted / wooded area of the Glen Abhainn estate. These planted woodland areas are zoned 'Objective F1 - Open Space'.
- There is a zoning objective to protect trees in the northern wooded area of the site.



- The layout and design of the proposed development has due regard to the zoning, sensitive context and character of the site.
- The proposed housing units, access road, public open space and site infrastructure have all been located on the A1 zoned lands.
- The proposed dwellings have been grouped together in two terraced blocks along the eastern boundary of the site, with the existing bungalow to be demolished.
- The proposed public open space area is located centrally in the site, set between the 2 no. woodland areas and provides a landscaped buffer between the Johnstown Road to the west and the proposed houses.
- The layout of the proposed development ensures that the 2 no. wooded areas to the north and south are appropriately retained and protected
- The proposed development includes a pedestrian footpath along the Johnstown Road and a pedestrian/cycle connection to the adjoining Glen Abhainn estate, as requested by Meath County Council.
- The arboricultural documents submitted identify the trees to be removed and retained, noting that no high value trees are proposed to be removed.
- The landscaping plan provides extensive supplementary and replacement tree/hedgerow planting within the public open space between the 2 no. woodland areas, along the proposed internal access road and along the Johnstown Road frontage.
- Play equipment for children and areas for the development of wildflower meadows are provided in the public open space area.
- The proposed development provides for unobstructed access to the woodland areas by the public.
- The public open space area and woodlands provide an additional high-quality amenity space that is usable by the existing and future residents of Enfield.
- The extensive landscaping, including native tree and hedgerow planting ensures the creation of an appropriate wildlife corridor between the 2 no. woodland areas, maintains the character of the Johnstown Rd and ensures the provision of substantial amenity areas to the benefit of the settlement.

#### 7.1.4. **Foul and Surface Water Drainage**

- Documentation submitted with the planning application included a foul/surface water infrastructure design and engineering report prepared by DCE IRL, updated in response to a further information request by Meath County Council.
- Item No. 6 of the FI Request re. foul water drainage, requested the applicant to submit a Pre-Connection Enquiry (PCE) to Irish Water, noting that there are current constraints in Enfield. The updated Irish Water report to Meath County Council confirmed that it had no objections to the proposed development subject to standard conditions.
- In relation to flood risk, an examination of the OPW Flood Mapping and GSI Groundwater Flood Mapping indicates that the site is not within any flood risk zone. This has been confirmed in the Strategic Flood Risk Assessment prepared for the Draft Meath County Development Plan
- The site has not experienced any flooding incidents.

#### 7.1.5. **Community and Social Amenities**

- According to the 2016 Census, the population of Enfield was 3,239 persons. Applying the national household size of 2.75 persons, the proposed development of 12 no. dwellings would provide a population increase of 33 no. persons.
- Assuming that the breakdown of the population increase arising from the proposed development is similar to the population breakdown of Enfield, it is anticipated that a total of 13 no. younger persons (1-19 age range) would be accommodated in the development.
- The town statement for Enfield, prepared as part of the Draft Meath Development Plan recognises that Enfield has a diverse community structure with a number of communities, social, sporting and educational orientated organisations in the town, accommodating all age ranges.
- Organisations and facilities for young persons in Enfield include, but are not limited to the following;

- Na Fianna GAA Club - one of the largest and oldest clubs in Meath and hosts adult and juvenile teams in men's and women's Gaelic football, hurley and camogie.
  - Enfield Celtic FC - hosts senior and underage boys and girls teams.
  - Enfield Youth Club - held every Fridays from 7:00 to 8:30 PM in St Mary's school hall and open to children ages 8 to 12 years of age.
  - The Royal Canal Way.
- A new public playground was constructed in 2015 off Main St. to the rear of Supervalu to provide an additional amenity for children in the town.
  - The Draft Meath County Development Plan has designated an area between the Johnstown Road and the railway line for the future development of a town park of over 9 hectares.
  - Meath County Council has secured funding from the Urban Regeneration Development Fund to purchase and develop a vacant building and site owned by the OPW in Enfield, to develop the site into a Community Center and park and ride facility.
  - A Part V proposal was advertised in October 2020 for the change of use of an ESB office building / depot on Main Street to community use to provide a community center and enterprise hub. The proposed development includes a community hub/hall, a canteen and tea stations, wheelchair accessible toilets, a meeting room, 7 no. small offices and an open plan computer area. The building is to be available for use by community groups, individuals and local enterprise startups.
  - The existing and future level of social, community and recreational facilities available in the town are sufficient to accommodate the proposed development of 12 no. houses.
  - The residential expansion of Enfield, as provided by the proposed development, will assist in creating a critical mass of population and associated required demand to support the established local services, and the provision of a wider range of local services and facilities.

- Regarding medical services in Enfield, the local Health Center is situated approximately 300 meters to the north of the site on the Johnstown Road and currently accommodates 2 no. GP doctors, 3 no. public health nurses, a community welfare officer, and dental services. In addition Enfield Main Street, approximately 350m to the north accommodates 2 no. pharmacies, a dental clinic and a physiotherapy clinic.
- There are no national standards for health provision in Ireland relating to the provision of Primary Care Centers or the number of doctors in an area. However, the HSE has confirmed that a typical Primary Care Center can serve a population of between 10,000 - 20,000 people, subject to appropriate resourcing. The Graduate Medical Education National Advisory Committee (GMENAC ) suggests a standard of 25.2 physicians to 100,000 population (or 0.25 per 1,000 population). Applying that GMENAC standards equates to a minimum requirement for 1 no. GP to serve the existing population of Enfield, together with the additional population arising from the proposed development.
- It is submitted that the existing medical services in Enfield are more than adequate to serve the increased population provided by the proposed development.

## 8.0 Planning Authority Response

8.1.1. The Planning Authority's response is as follows;

- The Planning Authority is satisfied that the matters outlined in the submission were considered in the course of its assessment of the application as detailed in the Planning Officer's report.

## 9.0 Observations None

## 10.0 Assessment

10.1. I have reviewed and assessed the proposed development in accordance with the policies and objectives of the Meath County Development Plan 2013-2019 which is the operative statutory plan for the area at the time of writing this report. The Meath County Development Plan 2021 – 2027 was adopted on the 22<sup>nd</sup> September 2021 and

comes into effect 6 weeks from the date of adoption, i.e. the 3<sup>rd</sup> November 2021. Given that the newly adopted Development Plan has not come into effect at the time of writing this report, the proposed development under the subject appeal is assessed under the operative statutory plan for the area, i.e. the Meath County Development Plan 2013-2019.

10.2. Having examined the application details and all other documentation on file, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows;

- Procedural Issues
- Impact on Woodlands and Biodiversity
- Drainage Infrastructure
- Flood Risk
- Community Infrastructure
- Overlooking
- Appropriate Assessment

I am satisfied that all other issues were fully addressed by the Planning Authority and that no other substantive issues arise. The issues for consideration are addressed below.

### 10.3. **Procedural Issues**

10.3.1. The appellant objects to the proposed development on the grounds that a public notice of the proposal was not visible to the residents of adjoining Glen Abhainn estate. Having regard to the documentation on file, I note that there were 2 no. objections to the proposed development submitted to Planning Authority. Both objections came from residents of dwellings in the Glen Abhainn estate. It is my view that this ground of appeal is a validation issue which is the function of the Planning Authority. I am satisfied that this did not prevent the concerned parties from making representations to the Council on the proposed development. The third-party appellant has made a valid planning appeal to An Bord Pleanála and the issues raised in this appeal are addressed below.

#### 10.4. Impact on Woodlands and Biodiversity

- 10.4.1. The appellant objects to the proposed development on the grounds that it would degrade the woodland areas on the site and destroy the natural wildlife corridor between both woodland areas. The applicant contests this ground of appeal, as detailed in Section 7.0 above.
- 10.4.2. The appeal site is subject to two zoning objectives. The existing dwelling proposed to be demolished is located on lands zoned 'A1 - Existing Residential' which seeks 'to protect and enhance the amenity of developed residential communities'. The two woodland areas A & B to the south west and north-east respectively of the existing dwelling are zoned 'F1 - Open Space' which seeks 'to provide for and improve open spaces for active and passive recreational amenities'. There is a map based specific objective for 'trees to be preserved' along the western side of Woodland Area B (most northern). The layout of the proposed 12 no. dwellings, the access road, car parking spaces and areas on public open space are located entirely within the lands zoned 'A1 - Existing Residential'. The use class 'Residential' is 'permitted' on 'A1' zoned lands, as detailed in Section 2.9.6 of the Meath County Development Plan 2013-2019. The revised proposal submitted by way of Further Information provides a gravel footpath / track through the eastern section of Woodland B to the adjoining Glen Abhainn residential estate to the north. This proposed track extends into lands zoned 'F1 - Open Space'. 'Cycleways / Greenways / Trail Development' are 'permitted' uses on 'F1' zoned lands under the Meath County Development Plan 2013-2019. On this basis, I am satisfied that the proposed development is permitted in principle.
- 10.4.3. The applicant has submitted a Tree Survey Report, prepared by John Morgan of Independent Tree Surveys (Arboricultural Association Professional Member), detailing the trees and hedge/tree groupings to be removed to facilitate the proposed development. The report details that the widened access road into the new development will require the removal of a section of the roadside hedge which is identified as unsuitable for retention (Category U). The proposed new access route will require a row of coniferous trees (Group G2) and a single young Beech tree (moderate value) to be removed to facilitate the layout of the proposed development. The location of the proposed 12 no. houses will require the removal of a row of trees along the eastern boundary and trees along the southern side of Block A and north-

western corner of Block B. These are all identified in the Tree Survey as 'Group G4' and of 'low value' or 'unsuitable for retention'. The proposed pedestrian / cycle link into Glen Abhainn estate along the northern boundary will require that two gaps be created through a degraded hedge. The Tree Survey Report identifies that the other large high value trees in the woodland areas (A&B) adjacent to the proposed development will be retained but will require suitable protection measures to be put in place to prevent unintended damage being incurred during actual construction process. An Arboricultural Method Statement is provided detailing tree protection measures to be implemented. Having reviewed the Tree Survey and Arboricultural Method Statement submitted, I am satisfied that the proposed development would not significantly impact on the Woodland Areas A and B to such an extent to warrant refusal of permission. The trees along the western side of Woodland Area B would be retained, thereby complying with the specific objective for 'trees to be preserved' at this location.

10.4.4. Having regard to the Tree Survey submitted, I note that details are not provided of each of the trees proposed to be removed in 'Group G4' along the eastern section of the site. Having inspected the site, I noted that some of these trees, particularly along the eastern side of the group are not of low value, as described cumulatively for the group in the Tree Survey and are worthy of retention in the interest of biodiversity and visual amenity. It is my view that in the event of a grant of permission a Condition should be imposed requiring the applicant to submit for the written agreement of the Planning Authority an accurate tree survey detailing each tree in Group G4 and to distinguish those trees worthy of retention or unsuitable for retention and to clearly identify those trees proposed to be felled or retained in this group of trees. Such Condition would ensure compliance with policy NH POL 18 of the Meath Development Plan 2103-2019 which seeks 'to encourage the retention of mature trees and the use of tree surgery rather than felling where possible when undertaking, approving or authorising development'.

10.4.5. The proposed development provides an area of public open space (0.1214 Ha) between both woodland areas A & B. The Landscape Design Plan submitted details proposed tree planting and soft landscape treatments within the area of public open space including, inter alia, the following:

- Planting of 66 no. various types of trees including 26 no. Lime, 2 no. Scott's Pine, 4 no. Silver Birch, 12 no. Mountain Ash, 10. Bird Cherry and 6 no. Snowy Mespil.

- Native / naturalised hedgerow planting around the bin stores.
- Meadow areas subject to reduced mowing frequency.

10.4.6. Having regard to the size of Woodland Areas A (0.259 Ha) and B (0.594 Ha) to be maintained and protected, the area of public open space (0.1214 Ha) to be provided and the proposed tree planting and soft landscaping treatments, it is my view that the proposed development adequately protects the ecological value and biodiversity of the Woodlands areas, maintains a riparian corridor both while enabling residential development on 'A1 - Existing Residential' zoned lands. Such development is consistent with policy HER POL 2 of the Enfield Written Statement which seeks 'To have regard to the bio-diversity value of existing trees and hedgerows in areas that are liable to be developed'. On this basis, I recommend that the appeal should not be upheld in relation to this issue.

## 10.5. **Drainage Infrastructure**

10.5.1. The appellant objects to the proposed development on the grounds that Enfield's sewerage system is full to capacity and is not due to be upgraded until 2023. The appellant puts forward that until this upgrade is completed, additional housing at Enfield should not be built as it would pose a serious threat to the health and safety of people living in Enfield. The applicant contests this, as detailed in Section 7.0 above.

10.5.2. The Planning Authority in its initial assessment noted the submission received from Irish Water which stated that 'significant water and wastewater constraint currently exists in Enfield. The applicant shall submit a pre-connection inquiry to Irish Water and engage with Irish Water to determine capacity in the existing water supply and wastewater disposal systems to enable connection of the proposed developments to these networks'. Further information was sought by the Planning Authority with this regard (Item No. 6). In response, the applicant submitted foul/surface water infrastructure design drawings and an engineering report prepared by DCE IRL. The applicant states in the further information letter response that they are open to the phasing of the proposed development and /or restricting the commencement of the development to when Irish Water allows connection. The applicant states that they are open to a condition of pre-treatment on site, on a temporary basis, subject to approval by Irish Water, until the capacity in the mains foul water treatment plant is available.



The applicant also submits a Pre-Connection Enquiry Report from Irish Water, dated 05/03/2021, which reviewed the proposed development. Site specific comments include, inter alia, the following;

- The water supply network in Enfield is constrained and connection to the public water network is consequently not feasible at this time
- Irish Water is exploring the development of a new treated water source with a third party which would be vested in Irish Water to own and operate at a future date. This process is at an early stage of development and is subject to a connection agreement with Irish Water.
- Depending on demand for connections in Enfield, there may be an extension of c. 2km of water main required to connect to the boreholes and treatment plants on the R148.
- In order to accommodate the proposed connection to the developments, upgrade works are required to increase the capacity of the existing Enfield wastewater treatment plant.
- Irish Water currently has a project on its investment plan which will provide the necessary upgrade and capacity. This upgrade project is scheduled to be completed by the end of 2023 and the proposed connection could be completed as soon as possibly practicable after these works. Prior to this, domestic treated effluent meeting discharges limits of biological oxygen demand (BOD) 20 mg/l and total suspended solids 30 mg/l will be accepted into the Irish Water network.

10.5.3. In response to the applicant's submission of Further Information, Irish Water submitted a report on the 26/02/2021 outlining no objections to the proposed development subject to 4 no. Conditions including;

- 1) The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
- 2) All development shall be carried out in compliance with Irish Water Standards codes and practices.

- 3) Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.
- 4) Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. have to be in accordance with the Irish Water Codes of Practice and Standard Details.

10.5.4. The Planning Authority in its grant of permission attached a note to the conditions imposed advising that the requirements of Irish Water shall be agreed prior to commencement of development.

10.5.5. Given that Irish Water outline no objections to the proposed development, I am satisfied that subject to a condition requiring the applicant / developer to enter into a water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development, the proposed development would not be prejudicial to public health. On this basis, I recommend that the appeal should not be upheld in relation to this issue.

## 10.6. Flood Risk

10.6.1. The appellant objects to the proposed development on the grounds that the appeal site is subject to annual flooding, particularly during winter months. The applicant contests these grounds of appeal as detailed in Section 7.0 above. The Planning Authority in its assessment raised no concerns regarding flood risk and flooding on the site.

10.6.2. The OPW CFRAM flood extent maps show that the site is not located in an area subject to river flooding. The OPW Past Flood Events Maps shows that the subject appeal site has not been subject to a past flood event. During site inspection I saw no evidence of flooding on the subject site.

10.6.3. The Drainage Report submitted details that runoff from the proposed development will discharge into an impermeable underground attenuation structure located within the area of public space. This structure will be constructed of a 'Stormtech SC-70', with a capacity of 80m<sup>3</sup> and a minimum plan area of 120 m<sup>2</sup>. The allowable discharge rate will be a max 2.0l/s for 100 year storm events. The applicant proposes the use of permeable paving blocks for the surface of all private car parking spaces, with

subgrade attenuation structures beneath serving runoff from the roofs of the proposed dwellings via downpipes.

10.6.4. The Council's Water Services Department Planning Report states that the surface water drainage proposed broadly meets their requirements with respect to the orderly collection, treatment and disposal of surface water. The report notes that the volume of the proposed attenuation structures is undersized and recommends the following:

1. Prior to commencement the applicant shall provide a breakdown of the impermeable, permeable and open space areas within the proposed development upon which they have determined the attenuation volume for the subject development. The applicant shall clearly outline the runoff coefficient which they have applied to the different surfaces within the proposed development.
2. The applicant shall supply a specification for the proposed flow control device and agree hydro brake orifice size and greenfield discharge race with MCC.
3. Undertake all necessary remedial works to the existing surface water drain and culvert.
4. In order to isolate and carry out maintenance of the flow control device, a penstock valve (or similar approved) shall be installed within the flow control chamber, on the upstream end of the manhole.

The Planning Authority imposed these requirements under Condition No. 5 of its grant of permission.

10.6.5. Having regard to the foregoing, I consider that that the risk of flooding to the proposed development is low and will not exacerbate flooding within the site or surrounding area. I am satisfied that the Condition imposed by the Planning Authority would ensure the surface drainage infrastructure serving the proposed development would meet the requirements of the Council with regards surface water drainage. It is my view that the proposed development would not raise significant flooding issues and the risk of flooding to the proposed and adjacent dwellings is minimal. On this basis, I recommend that the appeal should not be upheld in relation to this issue.

## 10.7. Community Infrastructure

- 10.7.1. The appellant objects to the proposed development on the grounds that the proposal would put a strain on community infrastructure in Enfield whereby the Primary Care Centre in the town has little or no doctors and the Community Centre at Enfield does not have the capacity to cater for the increase in the young population that the proposed development would create. The applicant contests these grounds of appeal as detailed in Section 7.0 above.
- 10.7.2. The site of the proposed 12 no. dwellings is zoned 'A1 - Existing Residential' which seeks 'to protect and enhance the amenity of developed residential communities'. Enfield is designated in the County Meath Settlement Strategy as a 'Small Town'. Table 2.4 of the Development Plan 2013 – 2019 sets out the housing allocation for the County and identifies that Enfield has a housing allocation of 319 no. houses over the Development Plan period. While somewhat outdated, the Enfield Written Statement 2013 – 2019 details the community facilities in the town which includes a Health Centre, boat centre, leisure park, soccer and GAA pitches. St. Mary's National School is located adjacent c. 200m to the north-east of the site. The applicant has provided further details on youth organisations and facilities in the town. Furthermore the applicant has provided details on the number of medical professionals employed in the local Health Center located c. 320m to the north east along the Johnstown Road and other medical professionals / services in the town, as detailed in Section 7.1.5 above. In the absence of evidence to demonstrate otherwise, it is my view that the proposed development comprising 12 no. dwellings would not place such significant pressure on community and healthcare facilities in Enfield to warrant refusal of permission in this instance.

## 10.8. Overlooking

- 10.8.1. The appellant expresses concern that the proposed development would result in overlooking of neighbouring property. The Planning Authority in its assessment state that the separation distances between the proposed dwellings and the adjacent dwellings to the north and east are all in excess of the 22m separation distance recommended for directly opposing first floor windows in residential developments, as set out in Section 11.2.2.2 of the Meath County Development Plan 2013 – 2019.

10.8.2. The Proposed Site Plan, submitted by way of Further Information, details that the proposed development would maintain a minimum separation distance of 22.8m from the closest adjacent dwelling to the east within the Glen Abhainn estate. This separation distance accords with the requirements of Section 11.2.2.2 (2) of the Development Plan 2013-2019 which requires a minimum of 22 metres between directly opposing windows. The proposal provides 1 no. window ope on the northern side elevation of house/plot no. 12, i.e. the most northern dwelling within Block B. Given that this window ope would serve an ensuite w.c., I consider that the proposal would not result in overlooking of the closest neighbouring dwelling to the north, No. 8 Glen Abhainn Avenue.

10.8.3. Having regard to the above, it is my view that the proposed development would not result in overlooking of neighbouring property and complies with Development Plan policy with regards overlooking. I recommend, therefore, that this ground of appeal should not be upheld.

#### **10.9. Appropriate Assessment**

10.9.1. The appeal site is not within or adjoining any Natura 2000 site. The closest Natura 2000 sites are the River Boyne and River Blackwater SAC (Site Code 002299) and SPA (Site Code 004232), approx. 9.5km to the north-west. Having regard to the nature and scale of the proposed development, to the location of the site within a fully serviced urban environment, and to the separation distance and absence of a clear direct 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.

#### **11.0 Recommendation**

11.1. I recommend that permission be granted subject to conditions, for the reasons and considerations below.

## 12.0 Reasons and Considerations

12.1.1. Having regard to the provisions of the Meath County Development Plan 2013 - 2019, the Enfield Written Statement and the zoning of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and residential amenity of the area, would not be prejudicial to public health 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.

## 13.0 Conditions

1.	<p>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 26<sup>th</sup> day of February 2021 and the 11<sup>th</sup> day of March 2021, 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><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The permitted development is for 12 number dwellings only on the subject site.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> To ensure adequate servicing of the development, and to prevent pollution.</p>
4.	<p>Prior to commencement of development, the developer shall submit for the written agreement of the Planning Authority drainage plans and particulars detailing the following:</p>

	<p>(i) A breakdown of the impermeable, permeable and open space areas within the proposed development and the runoff coefficient applied to the different surfaces within the proposed development.</p> <p>(ii) The capacity of the proposed attenuation structure to serve surface water discharged from the proposed development.</p> <p>(iii) Specifications for the proposed flow control device, hydrobrake orifice size and greenfield discharge rate.</p> <p>(iv) Details of remedial works required to the existing surface water drain and culvert.</p> <p>(v) Measures to isolate and/or carry out maintenance of the flow control device including the provision of a penstock valve (or similar approved) installed within the flow control chamber, on the upstream end of the manhole.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>Prior to commencement of development the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
6.	<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>
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 interest of amenity and public safety.</p>
8.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the</p>

	<p>provision of broadband infrastructure within the proposed development.</p> <p><b>Reason:</b> In the interest of visual and residential amenity.</p>
9.	<p>Prior to the commencement of development proposals for an estate/street name, and house numbering scheme and associated signage shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of orderly development.</p>
10.	<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 of future 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><b>Reason:</b> In the interest of sustainable transportation.</p>
11.	<p>(i) Prior to commencement of development the Applicant shall submit for the written agreement of the Planning Authority, the following;</p> <p>(a) An accurate tree survey of the trees located in Group G4 along the eastern boundary of the site, as detailed in the Tree Protection Plan DWG No. 20039_TPP submitted on the 26th day of February 2021. This survey shall be carried out by an arborist or landscape architect and shall show the location of each tree in Group G4, together with the species, height, girth, crown spread and condition of each tree. This survey shall distinguish trees worthy of retention and trees unsuitable for retention and clearly identify those trees proposed to be felled and those proposed to be retained.</p> <p>(b) Measures for the protection of those trees proposed to be retained. No trees shall be felled prior to the written agreement of the Planning Authority.</p> <p>(ii) Except as may otherwise be required in order to comply with the terms of this Condition, the developer shall fully implement all recommendations</p>



	<p>contained in the Tree Survey Report submitted to the Planning Authority on the 26<sup>th</sup> day of February 2021. Unless otherwise agreed in writing, in advance by the Planning Authority, the proposed tree removal shall be in accordance with the Tree Protection Plan Drawing 20039_TPP received by the Planning Authority on the 26<sup>th</sup> day of February 2021.</p> <p><b>Reason:</b> In the interest of biodiversity and the protection of trees.</p>
12.	<p>a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length and shall be maintained until the development has been completed.</p> <p>(b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.</p> <p><b>Reason:</b> To protect trees and planting during the construction period in the interest of visual amenity.</p>
13.	<p>Prior to the commencement of development, the developer shall engage the services of a qualified Arborist as an arboricultural consultant for the entire period of construction activity. A Practical Completion Certificate shall be signed off by the Arborist when all construction works are completed to the satisfaction of the planning authority, and in accordance with the permitted proposals.</p> <p><b>Reason:</b> In the interest of the proper planning and sustainable development of the area.</p>

14.	<p>The site shall be landscaped, generally in accordance with Landscape Design submitted to the planning authority on the 26<sup>th</sup> day of February 2021, in accordance with the detailed requirements of the planning authority. Detailed landscaping proposals shall be submitted to, and agreed in writing with the planning authority, prior to commencement of development.</p> <p><b>Reason:</b> In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
15.	<p>No residential unit shall be occupied until all roads, footpaths, public lighting, underground services, car parking and landscaping have been completed to the satisfaction of the Planning Authority.</p> <p><b>Reason:</b> In the interest of the proper planning and sustainable development of the area.</p>
16.	<p>Prior to the commencement of development, the developer shall submit for the written agreement of the Planning Authority proposals for all boundary treatments within the confines of the entire site.</p> <p><b>Reason:</b> In the interest of the proper planning and sustainable development of the area.</p>
17.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of the trees/hedgerows on or immediately adjoining the site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees/hedgerows on the site or immediately adjoining the site, or the replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development with others of similar size and species. 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>

	<b>Reason:</b> To secure the protection of the trees/hedgerows on the site.
18.	<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>
19.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interest of public safety and residential amenity.</p>
20.	<p>A construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
21.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1600</p>

	<p>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 amenities of property in the vicinity.</p>
22.	<p>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 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>Reason:</b> To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.</p>
23.	<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>
24.	<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</p>

	<p>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>
--	---

---

Brendan Coyne  
Planning Inspector

04<sup>th</sup> October 2021