



An  
Bord  
Pleanála

## Inspector's Report ABP-310758-21

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<b>Development</b>	Mix of retail, non-retail and restaurant development with associated signage, car parking and all associated site works.
<b>Location</b>	Ballytramon, Ardcahan, Castlebridge, Co. Wexford
<b>Planning Authority</b>	Wexford County Council
<b>Planning Authority Reg. Ref.</b>	20210305
<b>Applicant</b>	Monigle Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	John Molloy
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	1 <sup>st</sup> December 2021
<b>Inspector</b>	Paul O'Brien

## 1.0 Site Location and Description

- 1.1. The subject site, with a stated area of 0.145 hectares and of an irregular shape, is located to the southern side of Castlebridge, to the west of the R741 Castlebridge to Wexford Road. Castlebridge is approximately 5 km to the north east of Wexford and 4.8 km to the east of the N11.
- 1.2. The site, which is generally flat, was undeveloped and under grass/ scrub on the day of the site visit. The front boundary consists primarily of temporary Harris type fencing, though there are the remains of gate pillars providing entry to the site. The other boundaries are undefined, except to the north where the site adjoins a two-storey building in mixed use with restaurant use on the ground floor and residential use over.
- 1.3. The site forms part of a larger area of land that is undeveloped between the centre of Castlebridge to the north and Foxborough, a residential cul-de-sac to the south. Lands to the south and east are primarily in residential use. Large billboards at the gate pillars indicate that a large development was proposed here in the past. A footpath is provided along the front of the site.
- 1.4. Castlebridge is served by Wexford Bus Route 877 'The Bridge Loop', which operates from Wexford Redmond Square on a clockwise loop through Castlebridge and back to Wexford on an hourly basis, leaving Castlebridge at 8.10 and last bus at 18.10 to Wexford. There are no services on a Sunday at present. The nearest bus stop is on the opposite side of the road to the subject site.

## 2.0 Proposed Development

- 2.1. The proposed development consists of a circa 529 sq m of retail/ non-retail/ restaurant floor space in a single-storey, double height building located to the western side of the R741 road in Castlebridge. The submitted plans indicate that the floor area is to be open plan, but the internal layout can be decided at a later stage. The layout/ front elevation allows for the provision of up to four separate units within this building block. The southern most unit has dual frontage facing onto the street and facing south. Indicative signage locations are provided on the elevational drawings.

2.2. Three car parking spaces are provided to the front/ east of the building and additional car parking, 17 spaces, are located to the south of the site.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The Planning Authority decided to grant permission for the proposed development following the receipt of further information. Conditions are generally standard though the following are noted, in summary:

Condition no.4: Prior written approval is required for any proposed commercial/ retail/ professional services and to include full details of use, internal layout/ configuration, operating hours, noise, disturbance, odour management and waste collection/ recycling details. The uses do not allow for a restaurant/ take away, such uses require a prior planning application.

Condition no.5: Provision of a grease trap.

Condition no.6: Oil/ fuel interceptor to be provided on the surface water drainage network, in a location prior to discharge to the watercourse to the north east of the application site.

Condition no.7: Silt trap to be provided on the surface water drainage network, in a location prior to discharge to the watercourse to the north east of the application site.

Condition nos. 12 to 14: Details relating to signage. Condition no. 14 requires the removal of existing signage from the site.

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

##### **3.2.1. Planning Reports**

The Planning Report reflects the decision to grant permission for the development subject to the conditions provided. The design and layout of the development was considered to be acceptable. Further information was requested in relation to the building layout, noise/ disturbance mitigation measures and also full details of waste management arrangements. These issues were addressed in a satisfactory manner in the further information response.

### 3.2.2. Other Technical Reports

**A/ Chief Fire Officer:** The development requires a Fire Safety Certificate and shall not proceed in advance of the receipt of such a certificate.

**Roads Inspection Report:** No objection subject to recommended conditions.

**Disability Access Officer:** Disability Access Certificate (DAC) is required.

On receipt of further information, the following report was received by the Planning Authority Case Officer:

**Senior Executive Scientist (Environment):** No objection to the development subject to conditions.

### 3.2.3. Prescribed Bodies Reports

**None.**

### 3.2.4. Objections/ Observations

A letter of objection was received from John Molloy and the following comments were made:

- There is a lack of information in support of the development, including no traffic assessment.
- The development is car dependent, which is contrary to national climate change policy and the road infrastructure is not adequate for this development.
- The area is not suitable for commercial development as the area is primarily residential.
- The development will give rise to nuisance, disturbance, and potential anti-social behaviour.
- The development is out of character with the rest of Castlebridge and demonstrates no architectural merit.
- There is an oversupply of retail units in Wexford and the surrounding area.
- There is an oversupply of fast-food restaurants in the area.
- A grease trap should be provided, and details should also be provided as to how a tanker can enter the site and remove the grease in a safe manner.

- Insufficient details have been provided in relation to the quantity of grease that will be generated by the proposed development.
- The development has no green credentials.

## 4.0 Planning History

**P.A. Ref. 20190312** refers to a July 2019 decision to grant permission for a residential development of 32 houses and all associated site works on lands to the west and south of the subject site. As the site is partially located within the Wexford Harbour and Slobs SPA and the River Slaney SAC, a Natura Impact Statement was submitted with the application.

**P.A. Ref. 20180820** refers to an August 2018 decision to refuse permission for a residential development of 32 houses and all associated site works located on lands to the south and west of the subject site. The reasons for refusal included:

1. 'The proposed development would be partially located within the Slaney River Valley Special Area of Conservation (Site Code 000781) selected for species listed in Annex II of the EU Habitats Directive and the Wexford Harbour Slobs Special Protection Area (site Code 004076). The Planning Authority is not satisfied, on the basis of the submission made in connection with the planning application, that that proposed development would not adversely affect the integrity of this European site in view of its conservation objectives. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area'.
2. 'The proposed development is located within Flood Zone A and the issues arising from flooding have not been satisfactorily addressed and there remains the presence of unacceptable residual flood risk for the development and its potential occupants. The proposed development would therefore be contrary to the proper planning and sustainable development of the area'.

## 5.0 Policy and Context

### 5.1. Wexford County Development Plan 2013 – 2019 – Extended

- Chapter 3 provides the Core Strategy for County Wexford. Castlebridge is listed within the ‘District Towns’ category and under the relevant section of District Towns the following is stated:

‘Castlebridge and Courtown have been chosen based on inclusion in the SERPGs and size respectively. It is considered that growth in these areas should be more limited and that new development should seek to consolidate the existing settlements’.

‘The population of Castlebridge is 1,726 (Census 2011). The Council do not intend to prepare a local area plan for Castlebridge. In accordance with the provisions of Section 19 of the Planning and Development Act 2000 (as amended), the Plan indicates objectives for the village which are set out in Appendix A of this Volume.

It is an objective of the Council:

Objective SS17

To encourage new residential development to occur in District Towns in accordance with the Core Strategy and Settlement Strategy and subject to compliance with normal planning and environmental criteria including the availability of adequate waste water treatment capacity and drinking water capacity and the development management standards contained in Chapter 18’.

- Chapter 8 provides details on Transportation.
- Chapter 9 provides details on Infrastructure and ‘Water and Wastewater Infrastructure’ is detailed in Section 9.2. Table No. 21 Wastewater Projects indicates that a Wastewater treatment plant upgrade is proposed for Castlebridge. Table No.22 indicates that there was no available capacity in the wastewater treatment system for Castlebridge.
- Chapter 13 provides details on ‘Coastal Zone Management’ and Section 13.4.2 ‘Coastal Flooding’ is relevant: ‘The OPW studies also identify the hazard and

potential risk from coastal flooding at a strategic level. The predictive coastal flood extent and flood depth maps show that coastal flood risk exists predominately in or near coastal settlements. The primary areas of potential coastal flood risk are: Cahore Point to Morriscastle, Castlebridge, Curracloe, Wexford, Rosslare, Tacumshin, Kilmore Quay to Cullenstown and Wellingtonbridge. The impacts of climate change will increase the risks posed by coastal flooding. Therefore, similar to coastal erosion, these risks need to be carefully managed’.

- Chapter 17 – ‘Design’
- Chapter 18 sets out ‘Development Management Standards’ and Sections 18.17 ‘Retail’, 18.18 ‘Hot Food Takeaways’ and 18.22 ‘Advertising Signs and Structures’ are relevant.
- Appendix A provides ‘Objectives for Rosslare Strand and Castlebridge’ and the following are relevant to this development:

‘Castlebridge Census 2011 recorded the population of Castlebridge as 1,726 persons. Section 19 of the Planning and Development Act 2000 (as amended) requires either the preparation of a local area plan or the indication of objectives in a development plan for towns with a population greater than 1,500 persons’.

‘The Council do not intend to prepare a local area plan for Castlebridge. The following key objectives, which will guide the future development of Castlebridge, have therefore been formulated. All future development should comply with these objectives and all other relevant objectives set out in the Wexford County Development Plan 2013-2019’.

‘Objective CSO01

To protect and enhance the distinctive character of Castlebridge.

Objective CSO02

To ensure the density, scale and form of future residential development in Castlebridge is appropriate to the settlement’s position as a District Town in the county’s Settlement Strategy and associated Settlement Hierarchy and that new residential development has regard to the Sustainable Residential Development

in Urban Areas and the accompanying Urban Design Manual-A Best Practice Guide (DEHLG, 2009).

#### Objective CSO03

To prepare in conjunction with the local community a Village Design Statement for Castlebridge which will:

- a) Assess and describe what is unique about Castlebridge to ensure these features are enhanced through the planning process and other relevant socioeconomic development programmes;
- b) Draw up design principles to guide future development within and surrounding the village, in accordance with Section 28 planning guidelines and the European Landscape Convention;
- c) Effectively manage new development and to provide advice to all decision makers, developers and their agent; and
- d) Act as a focus for local communities to participate and collaborate effectively in the local planning process and other and other developments in and for the community.

#### Objective CSO04

To consolidate the existing pattern of development and ensure that new development complies with the sequential approach to the development of land which is focused on developing lands closest to the village centre first.

#### Objective CSO06

To encourage the provision of appropriate retail services and additional social and communities facilities in the village to serve the resident population, surrounding rural hinterland and visitors, subject to normal planning and environment criteria and the development management standards contained in Chapter 18.

#### Objective CSO08

To ensure the protection and conservation of natural heritage including designated sites, protected species, and ecological networks/corridors of local biodiversity value outside the designated sites'.



## 5.2. **Natural Heritage Designations**

5.2.1. The Wexford Harbour and Slobbs proposed NHA, and SPA and the River Slaney SAC are located approximately 128 m to the west of the subject site.

## 5.3. **EIA Screening**

Having regard to the nature of the proposed development comprising the development of 529 sq m of retail space and all associated works, 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**

John Molloy has appealed the decision of Wexford County Council to grant permission for this development in Castlebridge.

The points of appeal include:

- The proposed development is unviable without the inclusion of a restaurant and restaurant/ take-away use has been effectively refused by condition no. 4.
- The proposal does not represent balanced development and the scheme fails to integrate with the character of the area. The proposal is of poor architectural design.
- The development will negatively impact on the future residents of the permitted residential development to the west/ south of the site.
- The development does not demonstrate any green credentials.
- The scheme will not provide any economic benefit for Castlebridge and may give rise to unemployment in the area.
- The permitted/ conditioned grease trap will not functional correctly.

## 6.2. Applicant's Response

The applicant has engaged the services of Simon Clear & Associates – Planning and Development Consultants to prepare a response to the appeal and the following points are made:

- The proposal is designed to integrate with the existing form of development in Castlebridge.
- Castlebridge is designated as a District Town in the Wexford County Development Plan 2013 – 2019 as extended.
- There is not a preponderance of restaurants in Castlebridge.
- The proposed development was considered to be acceptable in principle.
- Condition no. 4 requires that if a restaurant is proposed, a separate planning application for this should be submitted; the applicant accepts this.
- It is considered that the development will integrate with the existing character and form of the area.
- The area is not predominantly residential, the site is located adjacent to the village centre and would allow for an increase in services/ commercial space to serve the local community.
- The Board can assess the suitability of a restaurant here as per the original application as submitted to the Planning Authority.
- It is considered that much of the appeal is paste on opinion with little substance or planning merit in it.

Requests that permission be granted for the development.

## 6.3. Planning Authority Response

- None.

## 7.0 Assessment

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Development Context

- Development Design and Impact on the Character of the Area
- Flooding and Drainage
- Access and Transportation
- Other Issues
- Appropriate Assessment Screening

## 7.2. Development Context

- 7.2.1. The proposed development as described in the public notices is for ‘the construction of Retail/ Non-Retail/ Restaurant Space (C. 529 m<sup>2</sup>) together with associated signage, site works including carparking area, connection to services etc’. The originally submitted floor plans indicate an open floor plan and the further information response (Drawing no.16.1032 PP2.00) demonstrated that this area could be divided into four Units providing for 204 sq m (Unit A), 142 sq m (Unit B), 101 sq m (Unit C) and 70 sq m (Unit D). Each of these units to be provided with a store and toilet.
- 7.2.2. The Planning Authority decided to grant permission for the development, however the provision of a restaurant/ take-away would be subject to a separate planning application.
- 7.2.3. I have no objection to the principle of development. Castlebridge is not currently zoned and there is local area plan in place. The development is located within the core of the village and as such the provision of retail/ commercial/ restaurant uses would be appropriate as it would strengthen the commercial element/ offer of the village.
- 7.2.4. I note the approach taken by the Planning Authority in relation to the use of unit(s) as a restaurant/ take-away and I consider it to be appropriate that a separate application be required to agree the details on the use if proposed as a restaurant/ take-away. Issues relating to hours of operation, staff numbers, seating areas, potential sources of nuisance etc. would require detailing and to do so by agreement/ planning condition compliance, would be vague and would not provide certainty as to the nature/ potential impact of the development. The submitted plans are generic and do not indicate, for example, the location of flues/ extractor fans and details of signage. I would recommend that a suitable condition be attached in the event that permission is to be granted.

### **7.3. Development Design and Impact on the Character of the Area**

- 7.3.1. The proposed units are located within a single block and as demonstrated, up to four separate units may be provided. It is proposed that the block be set back behind the building line of the existing units to the north; this setback is approximately 2.2 m. The setback allows for the widening of the footpath to the front and also allows for the provision of three car parking spaces to the front of the site. Additional car parking is provided to the south. I have no objection to the location and layout of the development. The setback is relatively minor and a separation of 2.2 m between the proposed building and the existing building to the north ensures that the visual impact is not significant.
- 7.3.2. I note the comments made in the appeal regarding the design of the building. The proposed design, whilst functional, is not visually obtrusive. The units are single storey, but double height and the external front appearance is that of two-storey units. It would be preferable if a design similar to those of the building to the north were proposed, however the almost triangular shape of the site would make this difficult to achieve. The proposed building widens on a north to south axis and whilst the front elevation runs parallel to the public street, the rear elevation is nearly at 45 degrees to the street. The provision of a pitched roof would be difficult to achieve on a such a site unless the floor area was significantly reduced.
- 7.3.3. The front elevation is relatively simple; however, the final design will be influenced by the signage installed on the front elevation and for which no details are available at this stage. I consider it appropriate that the final details regarding materials be agreed with the Planning Authority if permission is to be granted for this development.
- 7.3.4. I am satisfied that the development will successfully integrate into the streetscape and character of the area. The proposed block takes account of the existing form of development in the area, including permitted two-storey houses to the south and west. As there are no windows in the rear elevation, first floor level, no issues of overlooking of the permitted houses to the rear will arise.

### **7.4. Flooding and Drainage**

- 7.4.1. I note that there was a potential issue with flooding on the lands to the west of the subject site, this issue does not apply to the subject site.

7.4.2. The Planning Authority Case Officer has reported that there is no capacity issues in relation to Water Supply and Foul Drainage, this is noted. The proposed development would be served by public water and foul drainage systems.

7.4.3. I note the comments regarding the provision of a grease trap. It is sensible to provide for this now when services are been developed for the proposed scheme rather than having to retro-fit these in the future.

#### 7.5. **Access and Transportation**

7.6. I note the comments made in the Wexford County Council roads report. The site is located in an established urban area and road speeds would not be high in this area. The access to the car parking area can be accommodated without impacting on other traffic and pedestrians/ cyclists.

7.7. Comment was made in the appeal that the development is car dependent. I do not accept this as the development is located in a central location in Castlebridge. I accept that 20 car parking spaces are proposed, however this parking could serve four retail/ commercial units with a significant staff/ customer usage. I do note that bicycle parking is proposed on the footpath to the south of the building. I consider it appropriate to remove a parking space and to provide for an increase in bicycle parking here. Details can be agreed with the Planning Authority.

7.8. As referenced already in this report, there is a local bus service between Castlebridge and Wexford that may be of use to those living along its route. The bus stop is immediately opposite the subject site.

#### 7.9. **Other Issues**

7.9.1. A number of the points raised in the appeal are not planning matters. The viability of a business is not a concern for the planning process. I do not foresee that there will be a proliferation of take-aways in Castlebridge due to the proposed development. Whilst there may be some vacancy of buildings in the centre of the village, the level is not an issue of concern. The development of new housing will increase demand for commercial floor space in the village centre. A shortage of such space would see leakage towards Wexford town centre or elsewhere.

7.9.2. The lack of green credentials was raised as an issue. This is a relatively small development and opportunities for green measures are limited. I am satisfied that

the development of this central site is in itself a good proposal as it increases the intensification of development in the village core.

## 7.10. Appropriate Assessment Screening

7.10.1. The following Natura 2000 sites are located to the west of the subject site:

Site Name	Site Code	Distance/ Direction	Qualifying Interests	Potential Impacts
Wexford Harbour and Slobs SPA	004076	128 m to the west of the site.	<ul style="list-style-type: none"> <li>• Little Grebe (Tachybaptus ruficollis) [A004]</li> <li>• Great Crested Grebe (Podiceps cristatus) [A005]</li> <li>• Cormorant (Phalacrocorax carbo) [A017]</li> <li>• Grey Heron (Ardea cinerea) [A028]</li> <li>• Bewick's Swan (Cygnus columbianus bewickii) [A037]</li> <li>• Whooper Swan (Cygnus cygnus) [A038]</li> <li>• Light-bellied Brent Goose (Branta bernicla hrota) [A046]</li> <li>• Shelduck (Tadorna tadorna) [A048]</li> <li>• Wigeon (Anas penelope) [A050]</li> <li>• Teal (Anas crecca) [A052]</li> <li>• Mallard (Anas platyrhynchos) [A053]</li> <li>• Pintail (Anas acuta) [A054]</li> </ul>	<ul style="list-style-type: none"> <li>• There is no direct hydrological link between the subject site and the SPA.</li> </ul>

			<ul style="list-style-type: none"> <li>• Scaup (<i>Aythya marila</i>) [A062]</li> <li>• Goldeneye (<i>Bucephala clangula</i>) [A067]</li> <li>• Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</li> <li>• Hen Harrier (<i>Circus cyaneus</i>) [A082]</li> <li>• Coot (<i>Fulica atra</i>) [A125]</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>) [A140]</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A141]</li> <li>• Lapwing (<i>Vanellus vanellus</i>) [A142]</li> <li>• Knot (<i>Calidris canutus</i>) [A143]</li> <li>• Sanderling (<i>Calidris alba</i>) [A144]</li> <li>• Dunlin (<i>Calidris alpina</i>) [A149]</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</li> <li>• Curlew (<i>Numenius arquata</i>) [A160]</li> <li>• Redshank (<i>Tringa totanus</i>) [A162]</li> </ul>	
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			<ul style="list-style-type: none"> <li>• Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</li> <li>• Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</li> <li>• Little Tern (<i>Sterna albifrons</i>) [A195]</li> <li>• Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>	
Slaney River Valley SAC	00781	128 m to the west of the subject site.	<ul style="list-style-type: none"> <li>• Estuaries [1130]</li> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</li> <li>• Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260]</li> <li>• Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</li> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion)</li> </ul>	<ul style="list-style-type: none"> <li>• There is no direct hydrological link between the subject site and the SAC.</li> </ul>



			<p>incanae, Salicion albae) [91E0]</p> <ul style="list-style-type: none"> <li>• Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</li> <li>• Petromyzon marinus (Sea Lamprey) [1095]</li> <li>• Lampetra planeri (Brook Lamprey) [1096]</li> <li>• Lampetra fluviatilis (River Lamprey) [1099]</li> <li>• Alosa fallax fallax (Twaite Shad) [1103]</li> <li>• Salmo salar (Salmon) [1106]</li> <li>• Lutra lutra (Otter) [1355]</li> <li>• Phoca vitulina (Harbour Seal) [1365]</li> </ul>	
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7.10.2. The proposed development is located on a site of 0.145 hectares. Drainage will be through a 79 m<sup>3</sup> attenuation tank located in the car parking area to the south of the site and in turn will be disposed off through the public system. Foul water will also be treated through the public wastewater treatment system. The scale and nature of the development is such that any impact on foul drainage and/ or surface water drainage will be negligible.

7.10.3. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

## 8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the following conditions and reasons.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the nature, extent and design of the proposed development and the provisions of the Wexford County Development Plan 2013 – 2019 as extended, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character or visual amenities of the area.
- 9.2. The proposed development will allow for the development of up to four commercial/ retail/ restaurant units. It is appropriate that in the event that a unit is to be used as a restaurant/ take-away, that a separate planning application be made to confirm details of its nature and operation.

## 10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 4<sup>th</sup> of March 2021, as amended by the further plans and particulars submitted on the 18<sup>th</sup> of May 2021, except as may otherwise be required in order to comply with the following conditions.</p> <p>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>a) The permitted development is for commercial/ retail/ professional services use only and full details of the use shall be submitted for the written agreement of the Planning Authority prior to use.</p>

	<p>b) The permitted use does not include a restaurant/ takeaway. Such uses require a prior planning application to determine impacts such as opening hours, noise, odours, staff numbers, and waste management.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>(a) One car parking space to the south of the building to be omitted and replaced with suitable bicycle parking facilities. This to be at a minimum in the form of 'Sheffield Stands'.</p> <p>(b) No bicycle parking to be provided on the footpath area.</p> <p><b>Reason:</b> In the interests of promoting sustainable transport use.</p>
4.	<p>The road network serving the proposed development including junction with the public road, parking areas, footpaths and kerbs shall comply with the detailed standards of the Planning Authority for such road works.</p> <p><b>Reason:</b> In the interest of amenity and of traffic and pedestrian safety.</p>
5.	<p>No additional floorspace shall be formed by means of internal horizontal division within the building(s) hereby permitted unless authorised by a prior grant of permission.</p> <p><b>Reason:</b> In order to control the intensity of development in the interest of ensuring that adequate car parking and service facilities will be provided within the development.</p>
6.	<p>Receptacles for waste shall be provided and available for use at all times on the premises in accordance with details which 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 the amenities of the area.</p>

7.	<p>Prior to the commencement of development, the developer shall provide, for the written agreement of the Planning Authority:</p> <p>a) 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>b) Full details of the external signage to the front of the units.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
8.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
9.	<p>a) 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) A grease trap and a silt trap shall be provided in a location that shall comply with the requirements of the Planning Authority for such works.</p> <p><b>Reason:</b> In the interest of public health.</p>
10.	<p>The developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.</p> <p><b>Reason:</b> In the interest of public health.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public</p>

	<p>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>
12.	<p>That all necessary measures 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><b>Reason:</b> To protect the amenities of the area.</p>
13.	<p>Proposals for a development name, commercial unit identification and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.</p> <p><b>Reason:</b> In the interest of urban legibility.</p>
14.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p>

	<p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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Paul O'Brien  
Planning Inspector

9<sup>th</sup> December 2021