



An
Bord
Pleanála

Inspector's Report

ABP-311374-21

Development	Construction of 4 houses and all associates site works. Permission for service sites granted under ref. no. 19761
Location	Sites 4-7 Seanrod, Crobally Upper, Tramore, Co Waterford
Planning Authority	Waterford City and County Council
Planning Authority Reg. Ref.	21373
Applicant(s)	Uptown Property Developments Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Anthony and Pauline Power.
Observer(s)	None.
Date of Site Inspection	23 rd June 2022.
Inspector	Barry O'Donnell

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.16ha and is located at Old Crobally Road, approx. 1km north of Tramore Town Centre. The site forms part of a larger site that has been cleared and is undergoing construction. At the time of my inspection groundworks had been undertaken across the landholding and there was a single house at advanced construction, at the north end.
- 1.2. The site is located in an area of low-density housing and is adjoined to the north, south and west by detached and semi-detached houses. In particular the site is closely adjoined by detached houses to the south and south-west, which are separated from the site by a block wall.

2.0 Proposed Development

- 2.1. The proposed development entailed within the public notices comprises the construction of 4 No. 2-storey, 4-bedroom detached houses, to include driveways, footpaths, landscaping, boundary treatments and associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 19th August 2021, subject to 10 No. conditions.

Condition No. 3 required that the approved housing shall not be occupied prior to completion of all works permitted under Reg. Ref. 19/761.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports dated 18th June 2021 and 17th August 2021 have been provided. The first report states the proposed houses are unit Nos. 4-7 of the approved sites under Reg. Ref. 19/761. Concerns are expressed regarding overlooking of the west-adjoining property from site No. 7 and the balcony on the front elevation of site No. 7, which faces toward the south-adjoining property. The report recommends a request for additional information, with the applicant requested to address these concerns.

3.2.2. The second report followed submission of the AI response and followed a further period of public consultation, following the submission of significant additional information. It summarises and responds to the AI response and expresses satisfaction that concerns raised had been addressed. The report recommends that permission be granted, subject to 9 No. conditions. A subsequent emailed comment by the Planning Authority's Senior Planner requests an additional condition, which was attached as condition No. 10 of the planning authority's decision.

3.2.3. Other Technical Reports

The planning report indicates that the **Chief Fire Officer** was consulted on the application but did not comment on the application.

3.3. Prescribed Bodies

3.3.1. The planning report indicates that no prescribed bodies were consulted on the application.

3.4. Third Party Observations

3.4.1. A single third-party submission was received, the issues raised within which can be summarised as follows: -

- Overlooking

3.4.2. A further submission was received as part of the SFI public consultation period and new issues raised within it can be summarised follows: -

- Removal of site boundaries and provision of new boundary walls
- Surface water drainage

4.0 Planning History

4.1.1. There are a number of previous planning records pertaining to the site. The following are of relevance to the proposed development: -

21/992 – (ABP Ref. ABP-312467-22) Current appeal relating to the construction of a part-2-storey/part-3-storey house and associated site works. The Planning Authority granted permission on 16th December 2021, subject to 13 No. conditions. Condition

7(b) required that first and second floor windows at bathroom and stairwells on the north and south elevations should be obscure glazed.

21/991 – (ABP Ref. ABP-313427-22) Current appeal relating to the construction of a part-2-storey/part-3-storey house and associated site works. The Planning Authority granted permission on 31st March 2022, subject to 13 No. conditions. Condition 7(b) required that first and second floor windows at bathroom and stairwells on the north and south elevations should be obscure glazed.

20/786 – Permission granted on 28th January 2021 for construction of a part-2-storey/part-3-storey house and associated site works. Condition No. 6 required that first and second floor windows at bathrooms and stairwells on the north and south elevations should be obscure glazed.

19/761 – Permission granted on 29th July 2020 for 7 No. serviced sites to include all associated site works, surface and foul drainage, watermain, connections, roadways, footpaths and access from the existing road.

06/1750 – (ABP Ref. PL24.223498) Permission granted on 3rd December 2007 for demolition of shed and construction of 9 houses, new site access, car parking and associated site works. Condition No. 2 of the Board's Order amended the development, requiring omission of houses 6-9 inclusive and their replacement with 3 houses, subject to agreement with the Planning Authority.

5.0 Policy Context

5.1. Waterford City and County Development Plan 2022-2028

- 5.1.1. The new City and County Development Plan was adopted on 7th June 2022 and took effect on 19th July 2022.
- 5.1.2. Tramore is identified by the development plan as a 'Large Urban Town' and the Core Strategy Table allocates a portion of planned population growth over the plan period.
- 5.1.3. Section 2.14 identifies the following development strategy for Tramore: -

'The Development Plan proposes to consolidate the future growth of the commuter town within its built footprint and with strategic objectives to support compact, town centre and sequential development. Lands zoned for new residential development

are located at Crobally Upper, Newtown, north of Mountfield, with some other parcels distributed across the built-up area of the town. There is additional scope for new mixed-use development at Ballycarnane and on regeneration lands adjacent to the Old Waterford Road and Pond Road which may provide additional residential development.'

5.1.4. Map 2 'Zoning and Flooding' identifies land-use zonings for Tramore. The site is zoned 'Existing Residential', with an objective to '*Provide for residential development and protect and improve residential amenity.*'

5.1.5. Relevant policies include: -

H01: To promote compact urban growth through the consolidation and development of new residential units on infill/ brownfield sites and mews and townhouse developments and support the most efficient use of publicly owned lands for residential and mixed-use developments. This will be achieved through working in collaboration with landowners, the Land Development Agency, The Housing Agency and other statutory and voluntary agencies and by the utilisation of available funding (URDF and RRDF) for plan and nature-based infrastructure led development.

H02: In granting planning permission, we will ensure new residential development:

- Is appropriate in terms of type, character, scale, form and density to that location.
- Is serviceable by appropriate supporting social, economic and physical infrastructure.
- Is serviceable by public transport and sustainable modes such as walking and cycling.
- Is integrated and connected to the surrounding area in which it is located; and,
- Is designed in accordance with the applicable guidance and standards of the time:
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009).
 - Delivering Homes, Sustaining Communities (2007).
 - Urban Design Manual A Best Practice (2009).

- Permeability Best Practice NTA (2015); and,
- Design Manual for Urban Roads (DMURS) (2020) or any update thereof.
- National Disability Inclusion Strategy (NDIS) 2017-2022.
- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

H04: We will promote and facilitate sustainable and liveable compact urban growth through the thoughtful consolidation and of infill/ brownfield sites in a way which promotes appropriate levels of compactness while delivering healthier and greener urban spaces and residential amenities. This will be achieved by:

- Facilitating and supporting a range of residential densities and building heights appropriate to the context and residential amenity of a proposed development location.
- Proximity to high capacity public transport corridors and investment in sustainable and/ or active transport infrastructure.
- Supporting the permeable integration and densification of existing built-up areas.
- Supporting residential development proposals and urban design which incorporate clustering of mixed land use and co-location of services in appropriate location(s), or where quick and easy access to such services is available.
- Promoting and ensuring qualitative design and technological solutions which deliver adaptable residential/living units/spaces and urban design.
- Ensuing the integrated provision of quality green and blue infrastructure components/ public open space and networks of same so as to achieve distinctiveness and sense of place across our neighbourhoods; and,
- Requiring the provision of support infrastructure/ facilities to encourage sustainable mobility

H17: We will encourage the establishment of attractive, inclusive and sustainable residential communities in existing built up areas and new emerging areas by:

- Ensuring a suitable variety and mix of housing and apartment types, and sizes/tenures is provided in individual developments to meet the lifecycle adaptation of dwellings and the differing needs and requirements of people and families.
- Having regard to current demographic, social and market needs and changes throughout the City and County, in accordance with the provisions of the Housing Strategy and Housing Need Demand Assessment (HNDA) and any future Regional HNDA.
- Require the submission of a report which shall have regard to the HNDA and Housing Strategy with particular reference to:
 - How the proposed development contributes to meeting the future housing requirements as set out in Table 7.1.
 - How the proposed development has had regard to both the existing and permitted house types and tenures within the surrounding and adjoining neighbourhoods and/or district.
 - How the proposed development will contribute positively to the housing mix and adaptability of the area.
 - The number/percentage of housing units to be made available for purchase by owner occupiers.
- Require that the housing mix in any new development has regard to the provisions of 'Housing Options for Our Ageing Population, Policy Statement', (2019) or any update thereof, and makes provision for appropriate residential accommodation for older people and persons with disabilities in line with the Centre for Excellence in Universal Design – Universal Design Guidelines (2015) or any update thereof for Homes in Ireland and for wheelchair users in line with the Irish Wheelchair Association Best Practice Access Guidelines (2020) or any update thereof.
- The Council will require where different tenures are provided that these will be integrated and designed to create tenure neutral homes and spaces, where no tenure type is disadvantaged.

- Facilitating the provision of ‘self-build’/ serviced sites opportunities where feasible.
- Require the submission of a ‘Social Infrastructure Audit’ for developments of 15+ residential units (or less depending on the site context) identifying the social and community facilities in the area (or any deficiency thereof) in order to ensure that they are sufficient to provide for the needs of the future residents. Where deficiencies are identified, proposals will be required to either rectify the deficiency, or suitably restrict or phase the development in accordance with the capacity of existing or planned services.

H18: We will require all new residential development to incorporate the following measures to enhance climate resilience:

- An ecosystems services approach utilising Sustainable Urban Drainage Systems (SuDS) to reduce runoff at source and apply site and regional SuDS measures to enhance water quality by the use of inter alia green roofs, rain gardens, bioretention measures/swales, tree trenches and water butts and other such measures;
- Incorporate the use of solar energy infrastructure such as photo voltaic (PV), solar thermal, district heating and other appropriate measures as a renewable energy generation resource which can contribute to the just transition to a low carbon climate resilient Waterford.
- Provides lifetime adaptable homes to accommodate the changing needs of a household over time and thereby build sustainable communities.
- Housing units by way of their internal floor area and volume should seek to minimise the need for unnecessary use of building materials, the associated generation of waste, and the need for space heating and cooling. House sizes should be within a margin of 25% the national average house unit size.
- Incorporates element of green building design through choice of efficient renewable materials, waste reduction, siting and design.
- Maximize orientation & passive solar gain.

We will also encourage the application of new NZEB (nearly zero energy building) standards to all new residential dwellings (Houses and apartments) as per the Climate Action Plan 2021 and Building regulations applicable at the time

H20: Where new development is proposed, particularly on smaller suburban infill sites (< 1 ha in area) we will ensure that the residential amenity of adjacent residential properties in terms of privacy and the availability of daylight and sunlight is not adversely affected.

We will support lower density type development at these locations. We will require that new development in more established residential areas respect and retain, where possible, existing unique features which add to the residential amenity and character of the area, such features include front walls, gates, piers, railings, and stone/brick/render work

- 5.1.6. Volume 2 contains development management standards for residential development.

5.2. Natural Heritage Designations

- 5.2.1. The site is not located within or adjacent to any designated European site, with the closest such site being Tramore Dunes and Backstrand SAC (Site Code 000671) and Tramore Back Strand SPA (Site Code 004027), which are both c.750m east.
- 5.2.2. Tramore Dunes and Backstrand is also designated as a proposed Natural Heritage Area (Site Code 000671) and its designated boundary lies further east of the SPA/SAC boundaries.

5.3. EIA Screening

- 5.3.1. An Environmental Impact Assessment Screening report was not submitted with the application.
- 5.3.2. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:
- Construction of more than 500 dwelling units,

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

5.3.3. The subject development comprises the construction of 4 houses and all associated site works, on a site of 0.16ha. It falls well below both of the applicable thresholds for mandatory EIA, as set out above.

5.3.4. In respect of sub-threshold EIA, having regard to the limited nature and scale of the proposed development, which is on serviced lands in an urban area, it is considered that there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal can be summarised as follows: -

- Impact on residential amenity
 - First floor, rear-facing windows for all 4 proposed houses directly overlook the adjacent back garden and house No. 7 has rear-facing windows that look directly into the rear-adjointing house. Such issues are compounded by levels differences between the sites.
 - The relationship of the appellants' house to the proposed development is of a bungalow to 2-storey housing, so there is no reciprocal overlooking.
 - The issue was addressed as part of previous grants of permission at the site, for example under Reg. Ref. 06/1750 under which houses were not provided with first floor, rear-facing windows.
 - Drawing 2.05 A does not accurately depict affected windows at the appellants' home. They are both 1.76m wide and 1.27m high.
- The planning report incorrectly states that the appellants' house is perpendicular to the rear of house No. 7; it has corresponding bedroom windows at a shallow, oblique angle.

6.2. Applicant Response

6.2.1. A first party submission on the appeal was received on 7th October 2021, the contents of which can be summarised as follows: -

- Overlooking
 - Rear first floor windows for houses 4-7 are between 12.3m-14.04m from the appellant's boundary and garden. They are further away from the boundary than those previously approved under Reg. Ref. 06/1750, which included windows facing onto the appellants' boundary.
 - Proposed windows are further from the rear boundary than the 11m required by the development plan.
 - Concerns regarding overlooking from house No. 7 were addressed at the AI stage, by redesign of the house. The Planning Authority considered the concerns to have been addressed by this redesign.
 - A further cross section drawing is provided with the appeal, demonstrating the relationship of house No. 7 to the appellants' home.
 - There are no guidelines within the development plan regarding separation distances between first floor and ground floor windows and the applicant has thus relied on the 22m requirement for opposing first floor windows
- Overbearing
 - House No. 7 is of a modest size and the design avoids a dominating effect on the appellants' house.
 - The overall design is consistent with the parameters attached to condition 3i) of Reg. Ref. 19/761.
- Issue of overlooking addressed as part of previous grants of permission.
 - Revisions were incorporated as part of Reg. Ref. 06/1750 but it is noted that the decision was nevertheless appealed. In this context, it is questioned why the appellants consider this is current design solution.

- Consideration was given to omission of rear-facing first floor windows, replaced by velux windows, but this leads to overlooking of the south-adjointing property.
- Concerns regarding overlooking and overbearing no longer apply as a block wall has been built at the shared boundary with house No. 7.
- Drawing 2.05 A
 - Window sizes at the appellants house were estimated but are revised as part of the appeal submission, in view of the appellants' confirmation of their dimensions.
 - A cross section drawing has also been submitted with the appeal response.
- References to a dormer bungalow having previously been approved on the site of house No. 7 are inaccurate. The approved house was 2-storey and it contained more rear-facing windows than the current proposal.
- Examples of 2-storey housing with rear-facing windows that overlook bungalows in the vicinity are referenced, for example at Beachmount, Crobally Heights, Kennedy Park, Oak Drive and Bridge Road.

6.3. Planning Authority Response

6.3.1. None received.

6.4. Observations

6.4.1. None.

7.0 Assessment

7.1. Having inspected the site and considered the contents of the appeal in detail, I consider the main planning issues to be considered are:

- Principle of development;
- Residential amenity;
- Drainage;

- Access; and
- Appropriate assessment.

7.2. Principle of Development

- 7.2.1. The proposed development is consistent with the '*Existing Residential*' zoning that applies under the new Waterford City and County Development Plan 2022-2028, under which residential development is permitted.

7.3. Residential Amenity

Proposed houses

- 7.3.1. The proposed houses are located on a site which has been granted permission for 7 No. serviced sites and which is currently undergoing engineering/ground works. Permission was granted under Reg. Ref. 20/786 for the construction of a house on one of the serviced sites (identified on the site layout drawing as Site 1).
- 7.3.2. The site layout drawing identifies a similar layout to that approved under Reg. Ref. 19/761. The proposed houses are located in the southern part of the site, behind the open spaces that address Old Crobally Road and adjacent to the south and west site boundaries. They are of an effective uniform contemporary 2-storey, 4-bedroom design, incorporating a feature monopitch roof.
- 7.3.3. The Board will note that the proposed layout was amended at the additional information stage; house No. 7 was moved further east and its south elevation was revised, whereby the balcony enclosure was amended to incorporate a frosted glass screen in lieu of an initially proposed low-level glass balustrade.
- 7.3.4. Regarding the size and internal layout of the houses, the development plan does not specify any minimum size requirement for housing but I have nevertheless given consideration to the internal layout, in the context of *Quality Housing for Sustainable Communities* (2007) as referenced by the development plan, and I am satisfied that they are adequately sized internally, with each having a stated gross floor area of 160.8sqm.
- 7.3.5. Private gardens of 167-212sqm are provided to the rear of each house, which exceed the minimum requirements of the development and are acceptable.

7.3.6. Public open space is also identified within the overall landholding, but which is not within the application site. Should the Board decide to grant permission, I recommend a condition be attached requiring the public open spaces to be provided and landscaped in accordance with the Planning Authority's requirements prior to occupation of any house.

Neighbouring houses

7.3.7. There are neighbouring houses to the south and west. The appellants' home, The Hideaway, is adjacent to the south-west and west boundaries of the site and its garden runs parallel to the proposed houses.

7.3.8. The appellants express concern that first floor, rear-facing windows for all 4 proposed houses directly overlook their garden and that house No. 7 has rear-facing windows that look directly into the house.

7.3.9. The applicant argues that rear-facing first floor windows for the proposed houses are between 12.3m-14.04m from the appellant's boundary and garden and are further away from the boundary than those previously approved under Reg. Ref. 06/1750, which included windows facing onto the appellants' boundary.

7.3.10. The proposal incorporates rear-facing windows for each house, each of which would have a view into the appellants' garden. The windows are identified as serving bedrooms and, in the case of 'Bed 3' it is the only window serving the room.

7.3.11. I noted on my visit to the site that the applicant has constructed a wall along the shared boundary with the appellant (under Reg. Ref. 19/761, it was proposed to construct a 2m block wall along this boundary). Taken together with the presence of a garage structure in the area immediately to the rear of the appellants' house, I am satisfied that this provides a screening barrier for the appellants' house.

7.3.12. I share the appellants' concerns regarding the level of overlooking of their garden. The proposed layout and house design allows for overlooking of the entire garden area. But a balanced view needs to be taken, in view of the central and accessible location of the site and I am satisfied that mitigation can be incorporated, in the form of angled window arrangements which are oriented toward the north, which would reduce such overlooking to the northern/rear part of the garden, where it is unlikely to impact the appellants' enjoyment of their garden. A requirement to provide

landscaping along the rear boundaries of the properties is likely to be difficult to enforce in the long-term and I thus consider would be inappropriate to mitigate overlooking in this way.

7.3.13. Should the Board decide to grant permission, I recommend a condition be attached requiring incorporation of angled rear-facing first floor windows, with revised drawings to be submitted and agreed with the Planning Authority prior to the commencement of development.

7.3.14. I am satisfied that issues of overshadowing or overbearance of adjacent property do not arise, in view of the level of separation from proposed housing.

7.4. Drainage

7.4.1. Foul and surface water are proposed to discharge to the public networks, which is consistent with previous proposals for the development of the site and is acceptable.

7.4.2. In reviewing available records pertaining to Reg. Ref. 19/761 I note that the planning reports indicated the presence of a foul sewer line within the site. The issue of the location of connection to the network was clarified and revised at the additional information stage and I note that permission was granted for the development. The cover letter provided with the application indicates the works to divert the foul and surface water networks have been completed.

7.5. Access

7.5.1. The applicant does not propose any amendments to the carriageway layout, which is laid out in the form separate accesses to units 4-5 and 6-7. The proposed houses are accessed from the internal carriageway, with 2 parking spaces per plot, provided to the front of the respective house.

7.6. Appropriate Assessment

Appropriate Assessment Screening

Compliance with Article 6(3) of the Habitats Directive

7.6.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Background on the Application

7.6.2. A screening report for Appropriate Assessment was not submitted with this appeal case. Therefore, this screening assessment has been carried de-novo.

Screening for Appropriate Assessment- Test of likely significant effects

7.6.3. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).

7.6.4. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

Brief description of the development

7.6.5. The development is described at Section 2 of this Report. In summary, permission is sought for comprises the construction of 4 No. 2-storey, 4-bedroom detached houses, to include driveways, footpaths, landscaping, boundary treatments and associated site works on a site of 0.16ha. The site forms part of a larger plot that is undergoing construction, pursuant to grants of permission for detached housing and the provision of serviced sites. Foul and surface water are proposed to drain to the public networks.

European Sites

7.6.6. The site is not located within or adjacent to any European site. There are a number of European sites within a 15km search zone but in view of the smallscale nature I am satisfied that there is no possibility of significant effects for European sites other than those in the immediate vicinity of the site. There are 3 European sites in the vicinity of Tramore, as follows: -

- Tramore Dunes and Backstrand SAC (Site Code 000671), c.800m east.
- Tramore Back Strand SPA (Site Code 004027), c.800m east.
- Mid-Waterford Coast SPA (Site Code 004193), c.2.1km south.

Potential for Significant Effects

7.6.7. There are no open watercourses or drains within the site or adjacent to its boundaries. There is therefore no direct hydrological connection to these European sites in the surrounding area.

7.6.8. The construction phase of the development may give rise to the presence of surface waters with suspended solid content, but in view of the distance to the European sites, there is no realistic possibility of suspended solids being transferred to any European sites.

Screening Determination

7.6.9. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects for any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

7.6.10. This determination is based on the following:

- The separation distance between the subject site and European sites within the zone of potential influence and the absence of any direct hydrological connection between sites.

8.0 Recommendation

8.1. I recommend that permission for the proposed development be granted, subject to conditions as set out below.

9.0 Reasons and Considerations

Having regard to the Existing Residential zoning that applies to the site under the Waterford City and County Development Plan 2022-2028, under which residential development is acceptable, together with the nature and scale of the proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would be in keeping with the character of the area and would not seriously injure the

amenities residential property of the area and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by additional information submitted on 20th July 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>Reason: In the interest of clarity.</p>
2.	<p>The development shall be amended as follows: -</p> <ul style="list-style-type: none"> • The rear elevation of each house shall be redesigned to incorporate angled rear-facing first floor windows, which are oriented north. <p>Prior to the commencement of development revised drawings shall be submitted to the Planning Authority for its written agreement, which reflect these amendments.</p> <p>Reason: In the interests of residential amenity.</p>
3.	<p>Approved houses shall not be occupied prior to completion of works associated with permission Reg. Ref. 19/761, including the site access and internal carriageway, footpaths, public open space and landscaping, street lighting, boundary treatments and underground services.</p> <p>Reason: In the interests of proper planning and sustainable development.</p>
4.	<p>Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>

5.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p>
6.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.</p> <p>Reason: In the interest of public health.</p>
7.	<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 holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
8.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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Barry O'Donnell
Planning Inspector

6th September 2022.