



An
Bord
Pleanála

Inspector's Report 311668-21

Development	Construction of 1 no. 3-storey dwelling and all associated site works
Location	Junction of Anglesea Lane & Corrig Avenue, Dún Laoghaire, Co. Dublin.
Planning Authority	Dún Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D21A/0681
Applicant(s)	Conor McCabe
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party v. Decision
Appellant(s)	Conor McCabe
Observer(s)	None
Date of Site Inspection	19 th May 2022
Inspector	Louise Treacy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.0048 ha and is located on the southern side of the junction of Corrig Avenue and Anglesea Lane, Dún Laoghaire, Co. Dublin. The site is located approx. 40 m south-west of George's Street Upper, the primary commercial street within the town. Anglesea Lane is a narrow mews laneway, which is characterised by 2-3 storey infill developments along its southern boundary adjacent to the subject site and the rear yards of the commercial properties facing onto George's Street Upper along its northern boundary.
- 1.2. The subject site is irregularly shaped and was substantially overgrown and inaccessible at the time of the inspection. The eastern site boundary adjoins the public footpath on Corrig Avenue. The western site boundary is directly adjoined by an existing 3-storey infill development which appears to be in commercial use. The southern site boundary is adjoined by the local access road to the Corrig Court infill scheme of 2-storey terraced dwellings. No. 1 Corrig Avenue is located on the southern side of this local access road and comprises a 2-storey over basement detached dwelling, which is a Protected Structure. A 6-storey apartment block (Brook House) is located directly opposite the subject site on the eastern side of Corrig Avenue.

2.0 Proposed Development

- 2.1. The proposed development will consist of the construction of 1 no. 3-storey (top floor stepped back) dwelling, consistent with the established scale of the south side of Anglesea Lane. The dwelling has 2-bedrooms, with the second bedroom at ground floor comprising a flexible studio/homework space. A private open space terrace is proposed to the east side of the top floor.
- 2.2. Works to include relocation of existing water main on private access road (1 Corrig Avenue and Corrig Court, subject land in ownership of applicant), new connections to public water main, public sewer and public utilities. At roof level, rooflight over stair, green roof and solar panels located on flat roof section. All associated site and service connections works. Site clearance and removal of existing rubble stone and brick wall. Works to include realignment and reinstatement of existing private road pathway, where necessary.

2.3. The proposed dwelling has a stated floor area of 89 m² and is arranged over 3 floors. The ground floor level will accommodate a studio / bedroom, a store-room, an accessible toilet and a bin store which is accessed externally. At 1st floor level the proposed dwelling will accommodate an open plan living room / kitchen, while the 2nd floor level will include 1 no. double bedroom and a bathroom. An external private terrace space of 7.1 m² is proposed at 2nd floor level and is accessed directly from the proposed bedroom. A green roof with photovoltaic panels and a rooflight over the internal stairwell is proposed at roof level.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Notification of the Decision to Refuse Permission for 1 no. reason issued on 17th September 2021, which can be summarised as follows:

Having regard to the scale, bulk and massing of the proposed dwelling, its site layout, proximity to site boundaries and orientation within the site, the proposed development is over-scaled, would represent over-development of the site, and would adversely impact on the visual amenities of the area and streetscape, by reason of overly prominent appearance and would provide a poor level of amenity for future residents. Therefore, the proposed development would not accord with Sections 8.2.3.4 (vii) Infill Development and 8.2.8.4 (i) Private Open Space and zoning objective 'A' of the Dún-Laoghaire-Rathdown County Development Plan 2016-2022 and would seriously injure the amenities and depreciate the value of property in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. In the assessing the proposed development, the Planning Officer noted that the subject site was identified as a landscaped gated area under Planning Authority Reg. Ref. 451/90. Concerns arose that the proposed development would conflict with condition no. 6 of this permission, which requires the site to be retained in private ownership and maintained by a property management company.

3.2.3. The Planning Officer also considered that: (i) the proposed quantum of private open space does not meet development plan standards, with concern noted that this space can only be accessed via a bedroom; (ii) the proposed development would not adversely impact on the amenities of adjacent residential properties, (iii) the proposed development would have a significant impact on the existing streetscape and visual amenities of the area, (iv) the proposed development would have a poor interface with the public realm.

3.2.4. **Other Technical Reports**

3.2.5. **Drainage Planning:** Recommends that Further Information be requested in relation to the proposed SuDS measures, with the green roof considered insufficient as a SuDS measure in isolation. The applicant is requested to submit a proposal showing all surface water run-off generated by the development being infiltrated or reused locally in accordance with Section 5.1.1.8, policy EI8 of the development plan.

3.3. **Prescribed Bodies**

3.3.1. **Irish Water:** No objection to the proposed development.

3.4. **Third Party Observations**

3.4.1. None.

4.0 **Planning History**

4.1. **Planning Authority Reg. Ref. 451/90:** Planning permission granted for the change of use of No. 1 Corrig Avenue from flats to a 554 m² office development, with 6 no. townhouses in the rear garden, accessed through the side roadway.

4.2. This adjoining dwelling is within the applicant's ownership. The applicant's agent submits that the subject site was shown as open space in this planning application but was never developed as such and was allowed to become overgrown.

4.3. **Planning Authority Reg. Ref. D18A/0002:** Planning permission granted on 17th May 2018 for a change of use from commercial office to residential dwelling at No. 1 Corrig Avenue.

- 4.4. **Planning Authority Reg. Ref. D21A/0399; ABP Ref. 311842-21:** Planning permission granted on 29th June 2021 for repair and restoration works to No. 1 Corrig Avenue (a Protected Structure).
- 4.5. This decision is currently subject to a first party appeal to An Bord Pleanála against condition no. 2 (a) of the decision only, which restricts the painting of the building façades.

5.0 **Policy and Context**

5.1. **Dún Laoghaire-Rathdown County Development Plan 2022-2028**

- 5.1.1. This planning application was lodged while the Dún Laoghaire-Rathdown County Development Plan 2016-2022 was in force. The county development plan 2022-2028 has been adopted in the interim and is the relevant policy document for the adjudication of this appeal case.

5.2. **Land Use Zoning**

- 5.2.1. The site is subject to land use zoning “A” which has the objective “to provide residential development and improve residential amenity while protecting the existing residential amenities”. Residential development is permitted in principle under this zoning objective.

5.3. **Housing**

- 5.3.1. **Policy Objective PHP18: Residential Density** – it is a policy objective to increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill / brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in chapter 12 (of the development plan).

5.4. **Infill Development**

- 5.4.1. In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates / gateways, trees, landscaping, and fencing or railings.

5.5. **Corner / Side Garden Sites**

5.5.1. Corner site development refers to sub-division of an existing house curtilage and / or an appropriately zoned brownfield site, to provide an additional dwelling(s) in existing built-up areas. In these cases, the Planning Authority will have regard to the following parameters:

- Size, design, layout and relationship with existing dwelling and immediately adjacent properties.
- Impact on the amenities of neighbouring residents.
- Accommodation standards for occupiers.
- Development plan standards for existing and proposed dwellings.
- Building lines followed, where appropriate.
- Car parking for existing and proposed dwellings provided on site.
- Side/gable and rear access/maintenance space.
- Adequate usable private open space for existing and proposed dwellings provided.
- Level of visual harmony, including external finishes and colours.
- Compact detached proposals should relate closely to adjacent dwellings. A modern design approach may be deemed more appropriate in certain areas where it may not be appropriate to match the existing design.
- Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained / reinstated where possible.
- Use of first floor / apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.

5.6. **Habitable Room Sizes**

5.6.1. The minimum habitable room sizes for houses shall conform with appropriate national guidelines / standards in operation at the date of application for planning permission, including the minimum dimensions as set out in "Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining

Communities” (2007). All habitable rooms within new residential units shall have access to appropriate levels of natural / daylight and ventilation.

5.7. Private Open Space

5.7.1. All houses shall provide an area of good quality usable private open space behind the front building line. A minimum area of 48 m² may be acceptable for 1-2 bedroom units, where it can be demonstrated that good quality usable open space can be provided on the site.

5.7.2. In instances where an innovative design response is provided on site, particularly for infill and corner side garden sites, a relaxation in the quantum of private open space may be considered, on a case-by-case basis. The provision of open space to the front and side of the site to serve the proposed dwelling may also be considered acceptable, subject to design, residential amenity, etc.

5.8. Car and Cycle Parking

5.8.1. The subject site is located in Zone 1 for the purposes of car parking, and within which, a maximum standard of 1 space per 2-bedroom house applies.

5.8.2. For new residential developments of less than 5 units, planning applications shall include a Cycle Statement, setting out how it meets the requirements of the Council’s “Standards for Cycle Parking and Associated Cycling Facilities for New Developments” (2018).

5.9. Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities, 2007

5.9.1. These Guidelines set out target gross floor areas for a range of different dwelling types. A target is not identified for 2-bedroom/4-person/3-storey dwellings as currently proposed. As such, the target for a 2-bedroom/4-person/2-storey dwelling is considered the most appropriate reference, as summarised in the table below.

House Type	Target GFA (m ²)	Min. main living room (m ²)	Aggregate living area (m ²)	Aggregate bedroom area (m ²)	Storage (m ²)
2-B/4-P/2-S	80	13	30	25	4

5.9.2. The Guidelines also recommend the following:

- A main bedroom area of at least 13 m² in dwelling for 3+ persons
- Double bedroom of at least 11.4 m² (min. width 2.8 m)

5.10. Natural Heritage Designations

5.10.1. None.

5.11. EIA Screening

5.11.1. Having regard to the nature and scale of the proposed development, comprising 1 no. infill dwelling on zoned urban land, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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. A first-party appeal against the Planning Authority's Notification of the Decision to Refuse Permission has been lodged by Manahan Planners on behalf of the applicant, the grounds of which can be summarised as follows:

- The site is located in a residentially zoned area (objective A), where the construction of one additional dwelling would be acceptable in principle.
- The site adjoins the town centre and all its facilities. The site is surrounded by town centre zoned land on two sides and streetscape on a third and the proposal should be assessed having regard to the greater leniency of this town centre zoning.
- The proposed development is a cleverly designed, contemporary building which will contribute to the visual improvement of the streetscape at this location. It will also contribute to the range of contemporary architectural set pieces within Dún Laoghaire and should be welcomed on that account.

- The proposed development will not have any adverse impacts on adjoining properties.
- While the subject site was identified as an area of open space under Planning Application Reg. Ref. 451/90, this area of open space has never been managed and has been allowed to become overgrown. The development of the site for residential purposes would be a much better use of the land.
- The provision of a balcony space which is accessed off the 2nd floor bedroom is reasonable given that the dwelling is likely to be occupied by an individual or a couple. The open space has been provided on the southern side of the site overlooking the public roadway, rather than on the northern side, where overlooking of private gardens would occur.
- No car parking is provided, which is reasonable given that the site adjoins Dún Laoghaire Main Street.
- The building successfully responds to the site constraints and will provide a high standard of internal amenity for future residents.
- The proposal is in accordance with planning policy to densify the suburbs in areas where services exist.
- The proposal complies with the 'A' land use zoning objective, under which residential development is acceptable, it would not injure the residential amenities of neighbouring properties and exceeds development management standards.
- No evidence has been provided to support the assertion that the proposed development would seriously injure the amenities and depreciate the value of properties in the vicinity.
- It is proposed to clad the dwelling in brick reflecting the neighbouring dwellings in Anglesea Lane and Corrig Court. Should the Board consider it appropriate, the building could be finished in painted render to reflect the neighbouring buildings on Corrig Avenue (images provided for the consideration of the Board).

6.2. Planning Authority Response

- 6.2.1. A response from the Planning Authority was received on 8th November 2021. The Planning Authority considers that the comprehensive Planning Officer's Report deals fully with the issues raised and justifies its decision.
- 6.2.2. A response to the appeal has also been prepared by the Planning Authority Drainage Department. In the event planning permission is granted, it is recommended that a condition be attached which addresses the proposed SuDS measures, with the proposed green roof considered insufficient as a SuDS measure in isolation.

6.3. Observations

- 6.3.1. None.

7.0 Assessment

- 7.1. I am satisfied that the main issues for consideration in this case include:

- Principle of the Development
- Compliance with Development Management Standards
- Bulk / Scale / Visual Impact
- Site Drainage Infrastructure
- Appropriate Assessment

- 7.2. Each of these issues is addressed in turn below.

7.3. Principle of the Development

- 7.3.1. In assessing the proposed development, Dún Laoghaire-Rathdown County Council's Planning Officer noted that the site was identified as a landscaped gated area under planning application reg. ref. 451/90. The Planning Officer expressed concerns that the proposed development would conflict with condition no. 6 of this permission, which requires the subject site to be retained in private ownership and maintained by a property management company. The applicant's appeal submission states that this area of open space (i.e. the subject site) has never been managed and has been

allowed to become overgrown. The applicant's Architectural Planning Report also notes that the site has been subject to dumping and anti-social behaviour.

7.3.2. In considering this issue I note that planning application reg. ref. 451/90 is now more than 30 years old and that the developer's compliance with the terms of that permission is not a matter for adjudication under this appeal case. The proposed development comprises a residential unit on a residentially zoned site, proximate to the town centre of Dún Laoghaire. As such, I consider that the proposed development is acceptable in principle at this location.

7.4. **Compliance with Development Management Standards**

7.4.1. The Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities, 2007 do not identify a **target gross floor** area for 2-bedroom/4-person/3-storey dwellings as currently proposed. As such, the 80 m² target for a 2-bedroom/4-person/2-storey dwelling is considered most relevant to the adjudication of this case. In reviewing the proposed internal layout, I acknowledge that the combined kitchen / living room and storage areas are marginally below the identified targets (28.16 m² and 3.5 m² respectively). However, given that the dwelling has a stated floor area of 89 m², and as such, exceeds the identified target floor area of 80 m², I am satisfied that these issues are not material in this instance.

7.4.2. The development plan states that all houses shall provide an area of good quality, usable **private open space** behind the front building line. A minimum of 48 m² private open space may be acceptable for 1- 2 bedroom units. In instances where an innovative design response is provided on site, a relaxation in the quantum of private open space may be considered, on a case-by-case basis.

7.4.3. The private open space to serve the proposed dwelling comprises a terrace of 7.1 m² which is accessed via the 2nd floor bedroom. The terrace is located to the front of the site, facing onto Corrig Avenue. Dún Laoghaire Rathdown County Council's Planning Officer noted that the proposed quantum of private open space does not meet development plan standards and expressed concerns that it can only be accessed via the bedroom. In my opinion, having regard to the scale of the proposed dwelling, the site's central location within Dún Laoghaire, its proximity to public open spaces, including the People's Park within approx. 340 m walking distance to the

north-east, Clarinda Park within approx. 255 m walking distance to the south-east and the sea front approx. 400 m to the north, and that the proposal would bring a vacant, zoned urban site into residential use, I consider that a relaxation in the quantum and configuration of the private open space would be acceptable in this instance as provided for under the development plan.

- 7.4.4. In reaching this conclusion, I agree that the proposed dwelling will most likely be occupied by an individual or couple as identified by the applicant's agent. In the event the ground floor studio / bedroom was used solely as a bedroom and the dwelling was occupied by 4 no. persons (2 no. double bedrooms), I consider that access to the 2nd floor terrace could reasonably be managed by the occupants. I also consider that the proximity of the site to the public open spaces identified above, would provide additional high quality amenity space for the benefit of future occupants. As such, I do not agree that the proposed dwelling would provide a poor level of amenity for future residents as identified by the Planning Authority in the Notification of the Decision to Refuse Permission.
- 7.4.5. While the proposed 2nd floor terrace faces towards the private balconies of the Brook House residential scheme on the opposite side of Corrig Avenue, I further note that these balconies are attached to the building façade and are comprised of clear glazing. As such, these amenity spaces are readily visible in public views of the apartments from street level. Thus, I consider that the introduction of the proposed terrace on the subject site, would not significantly increase the existing overlooking of these amenity spaces.
- 7.4.6. In considering the potential for **overlooking** of any other neighbouring property to occur on foot of the proposed development, I note that the building is set forward of No. 1 Corrig Avenue to the south, and thus no directly opposing relationship occurs. Three centrally placed windows are proposed at ground, 1st and 2nd floors of the building's northern elevation. The 1st floor level also includes a larger window placed towards the front of the building, serving the proposed living room. The centrally positioned windows serve bathrooms at the ground and 2nd floors and the proposed kitchen at the 1st floor level. In my opinion, the windows serving the bathrooms should be maintained permanently in opaque glazing to protect the privacy of future occupants. This matter can be addressed by planning condition should the Board grant planning permission for the proposed development. I consider that the

inclusion of opaque glazing in the kitchen window is unnecessary given that it does not serve a primary amenity space. I note that the living room window at 1st floor level of the northern elevation overlooks Angelsea Lane and the rear of the commercial property of No. 35 George's Street Upper beyond. I do not consider that the inclusion of obscure glazing in this window is warranted in this context.

7.4.7. A minimum separation distance of 13.575 m arises to the existing Brook House apartments on the opposite side of Corrig Avenue as illustrated on the Proposed Site Plan, which I consider to be acceptable. As such, I am satisfied that no significant overlooking impacts would arise to this existing residential development. Based on the foregoing, I am satisfied that the proposed development would not seriously injure the amenities and depreciate the value of property in the area as determined by the Planning Authority.

7.4.8. A maximum **car parking** standard of 1 space per 2-bedroom dwelling applies under the development plan. No car parking is proposed to serve the proposed development, which is considered acceptable given the site's proximity to the town centre and sustainable transport modes, including DART within a walking distance of approx. 600 m. While the development plan requires residential developments of less than 5 units to include a Cycle Statement identifying how they meet the requirements of the Council's "Standards for Cycle Parking and Associated Cycling Facilities for New Developments" (2018), I note that the applicant's Architectural Planning Report states that the external store will accommodate a hanging bike rack on the door. In my opinion, this arrangement would be acceptable having regard to the scale of the proposed development. As such, I consider that the omission of a specific Cycle Statement is not material to the assessment of this case.

7.4.9. In conclusion, I am satisfied that the proposed development complies with all relevant development management standards for a residential dwelling.

7.5. **Bulk / Scale / Visual Impact**

7.5.1. The Planning Authorities refusal reason notes that the subject site occupies a prominent position at the junction of Corrig Avenue and Angelsea Lane. The Planning Authority considered that, having regard to the scale, bulk and massing of the proposed dwelling, its site layout, proximity to site boundaries and orientation within the site, the proposed development is over-scaled, would represent the over-

development of the site and would adversely impact on the visual amenities of the area and streetscape by reason of overly prominent appearance.

- 7.5.2. In my opinion, the site's current condition, being significantly overgrown and unmaintained, has a negative visual impact on the streetscape at this location. As such, I consider that its redevelopment for residential purposes would have a positive impact on the visual amenities of both Corrig Avenue and Anglesea Lane.
- 7.5.3. In considering the scale, bulk and massing of the proposed development, I note that the height and scale of the dwelling will reflect that of the immediately adjoining developments to the west on Anglesea Lane as illustrated on the proposed contextual elevations and the proposed site plan (Drawing no. 1711-MA-ZZ-00-DR-A-1000 refers). The dwelling will also be subservient in height to the neighbouring Protected Structure to the south at No. 1 Corrig Avenue. As such, I do not agree with the Planning Authority's assessment in this instance. I further consider that it is unreasonable to refuse planning permission for the proposed development based on its proximity to the site boundaries and its orientation having regard to the small, infill nature of the site.
- 7.5.4. In my opinion, the proposed dwelling is modest in scale and would read as an innovative design response on a constrained site. I further consider that the proposed development would read as a sympathetic extension to the modern, infill properties adjoining the site on Anglesea Lane. While I acknowledge that the proposed dwelling steps forward of the neighbouring Protected Structure at No. 1 Corrig Avenue, I also note that its building line reflects that of the neighbouring property to the north at No. 35 George's Street Upper. I also note that the proposed dwelling is set-back from the side boundary of No. 1 Corrig Avenue by between 7.3 – 8.05 m, with the internal access road to the Corrig Court residential estate extending between these two sites.
- 7.5.5. Thus, I consider that the site context of the proposed dwelling and No. 1 Corrig Avenue is such that the proposed development would have no negative impact on the setting or character of the Protected Structure. Based on the foregoing, I do not consider that the proposed development would have an adverse visual impact on the streetscape by reason of its overly prominent appearance as determined by the Planning Authority.

- 7.5.6. The planning drawings submitted with the application propose a brick finish to the proposed development at the ground and 1st floor levels, with powder coated black/grey aluminium metal cladding above at 2nd floor level. The applicant's appeal submission notes that the approach to material selection has been informed by the neighbouring buildings on Anglesea Lane and Corrig Court which are clad in brick. In my opinion, the identified materials would be acceptable at this location.
- 7.5.7. In seeking to address the Planning Authority's concerns regarding the visual impact of the proposed development, the appellant has suggested alternative materials for the building façades, including white brick on the lower sections, with painted render above reflecting the neighbouring buildings on Corrig Avenue. In my opinion, the alternative material treatments would also be appropriate at this location, but I consider that this matter should be agreed in advance in consultation with the Planning Authority, including the Conservation Officer, given the proximity of the site to a Protected Structure. This matter can be addressed by planning condition should the Board decide to grant planning permission for the proposed development.

7.6. Site Drainage Infrastructure

- 7.6.1. The existing 110 mm diameter private watermain located in the Corrig Court development is proposed to be realigned / diverted to facilitate the proposed development. I note that the watermain is located on lands within the applicant's ownership and that Irish Water has not raised any objection to the proposed development subject to conditions.
- 7.6.2. The Planning Authority's Drainage Department recommended that Further Information be requested in relation to the proposed SuDS measures, with the green roof considered an insufficient measure in isolation. The Drainage Department's appeal response notes that this matter should be addressed by condition in the event planning permission is granted for the proposed development, and I agree that this is a reasonable approach in this instance.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the nature and scale of the proposed development, the residential land use zoning of the site, and its location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed

development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

8.0 Recommendation

8.1. I recommend that planning permission be granted for the proposed development.

9.0 Reasons and Considerations

9.1. Having regard to the residential land use zoning of the site, its proximity to the town centre of Dún Laoghaire, the existing pattern of development adjoining on Anglesea Lane, and the nature and scale of the development for which permission is sought, it is considered that, subject to compliance with the conditions set out below, the proposed development, would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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</p>

	<p>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 developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.</p>
3.	<p>The bathroom windows at ground and 2nd floor levels of the northern elevation of the proposed development shall be permanently maintained in obscure glazing.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>Details of the external finishes of the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>A naming/numbering scheme for the dwelling shall be submitted to and agreed in writing with the planning authority prior to the occupation of the dwelling.</p> <p>Reason: In the interest of orderly street numbering.</p>
6.	<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 the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.</p>

	Reason: In the interests of public safety and residential amenity.
7.	Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Reason: In the interest of public health.
8.	Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Irish Water. Reason: In the interest of public health.
9.	Site development and building works shall be carried out only between the hours of 0700 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. Reason: In order to safeguard the residential amenities of property in the vicinity.

Louise Treacy
Planning Inspector

17th June 2022