



An
Bord
Pleanála

Inspector's Report

ABP-311869-21

Development	Construction of 2 no. two-storey, two bedroom dwelling houses and 3 no. single-storey, one bedroom dwelling houses to rear
Location	Main Street, Ballylanders, Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	21240
Applicant(s)	Philip O'Sullivan
Type of Application	Permission
Planning Authority Decision	Grant with conditions
Type of Appeal	Third Party
Appellant(s)	Catherine MacDermott
Date of Site Inspection	4 th February 2022
Inspector	Liam Bowe

Table of Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Further Information Request	5
3.2. Decision	5
3.3. Planning Authority Reports	6
3.4. Prescribed Bodies	7
3.5. Third Party Observations	7
4.0 Planning History.....	7
5.0 Policy Context.....	8
5.1. Limerick County Development Plan 2010-2016 (as extended)	8
5.2. Natural Heritage Designations	9
5.3. EIA Screening	9
6.0 The Appeal	9
6.1. Grounds of Appeal	9
6.2. Applicant Response	10
6.3. Planning Authority Response	11
7.0 Assessment.....	11
7.1. Principle of development.....	12
7.2. Design and layout	12
7.3. Impact on residential amenity.....	13
7.4. Traffic safety and car parking	14
7.5. Waste and surface water disposal	15
7.6. Appropriate Assessment	16

7.7. Other Issues..... 16

8.0 Recommendation..... 17

9.0 Reasons and Considerations..... 17

10.0 Conditions 17

1.0 Site Location and Description

- 1.1. The site, with a stated area of 0.0949, is located on the north side of the R513 within the Main Street Area of Ballylanders, a typical 19th century linear Irish town. The street is almost entirely built-up by predominately two and three storey town houses set at the back of the pavement and rises from its west end towards its east end. Immediately to the west of the site is a two storey house with retail units on the ground floor. Immediately to the east of the site is a two-storey building on the Main Street that accommodates Ballylanders Credit Union. Beyond that is an access way and then a two-storey dwelling which is part of a terrace of buildings.
- 1.2. The site is occupied by the substantially demolished building with only remnants of a gable wall present. There is a passageway along the west side of the site which gives access to a rear garden area currently occupied by an old barn, and to the rear garden area of the building immediately to the west of the site. A sign indicates that there was a business located on the site, however at the time of the site inspection the site was locked off by a gate and there was no one on the premises. The plans show a number of sheds in the rear garden and these were present on the day of my site inspection. There is a high c.2.5 metre high stone wall along the eastern side boundary and a partial wall along the western side boundary.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of 2 no. two-storey, two bedroom dwelling houses and 3 no. single-storey, one bedroom dwelling houses to the rear at Main Street, Ballylanders, County Limerick.

The proposed development takes the form of a pair of semi-detached two-storey houses addressing the main street with three detached single storey houses proposed to be sited behind these at the back of the site / main street. The two-storey houses would have a ridge height of 7.935m and there is a 300mm step down between the pair designed with the slight fall in ground levels from east-west on the main street. The detached single storey houses are proposed to be sited perpendicular to these and have a ridge height of 6.145m. Private open space is proposed to the rear of the semi-detached houses and to the side of the detached single storey houses. The shed to the rear of the site was to be retained in the

original proposal but is now proposed to be removed from the site and 5 no. car parking spaces are to be provided at this location on the appeal site.

3.0 Planning Authority Decision

3.1. Further Information Request

Prior to issuing a notification of decision, the Planning Authority issued a further information request on 22nd April 2021 requiring details in relation to car parking, public lighting, a surface water layout plan, vehicle access for fire brigade appliances, the entrance gate, bin storage/collection, gross floor areas of each unit and comments on the two submissions received.

The applicant submitted a response to this further information request to the Planning Authority on 9th July 2021, which included a revised site layout plan, a public lighting scheme, surface water disposal proposals, access details and a response to the objections to the proposed development.

Clarification was sought on this further information on 4th August 2021 requiring details in relation to the removal of the shed at the rear of the site and its replacement with car parking spaces, a surface water layout plan based on revised calculations, bin storage areas and a redesigned public lighting scheme.

The applicant submitted a response to this clarification of further information request to the Planning Authority on 22nd September 2021, which included confirmation of the removal of the entire shed and retention of 5no. car parking spaces, a surface water layout plan based on revised calculations, bin storage areas for each dwelling and a redesigned public lighting scheme.

3.2. Decision

By order dated 15th October 2021 Limerick City and County Council issued notification of decision to Grant Permission for the proposed development subject to 24 No. standard conditions. The Conditions include inter alia the following:

- Condition No.4: Requirement for connection agreement with Irish Water.

- Condition No.5: Drawings showing car parking provision and boundary treatments.
- Condition No.12: Plaster / dash walls.
- Condition No.13: Blue-black, black or dark grey tiles / slates.
- Condition No.21: A revised Surface Water Disposal Layout Plan to be agreed.

3.3. Planning Authority Reports

3.3.1. Planning Reports

There are three Planning Reports on file dated 21st April 2021, 4th August 2021 and 14th October 2021, respectively. The Planning Officer in the initial report stated that the location of the site is in a designated Tier 5 settlement per the Limerick County Development Plan, Objectives SS01, SS02, SS03 and SS12 applied and that it was considered that the applicants had demonstrated compliance with these objectives. The report recommended further information be requested on car parking provision, public lighting, surface water disposal proposals, access details, bin collection and a response to the objections to the proposed development, which is reflected in the decision of the Planning Authority.

Appropriate Assessment Screening was carried out and concluded that there is no likely potential for significant effects to any Natura 2000 site.

A second Planner's Report (dated 4th August 2021) refers to the further information submitted, which included a shadow survey in response to the third party submissions. The report recommended clarification of further information be requested on the removal of the shed, bin collection, public lighting, and surface water disposal proposals, which is reflected in the decision of the Planning Authority.

A third Planner's Report (dated 14th October 2021) refers to the clarification of further information submitted and considered that, having regard to the additional information, permission should be granted subject to 24 No. conditions.

3.3.2. Other Technical Reports

Roads – The initial Senior Executive Technician report dated 18th April 2021 stated that the layouts were poorly designed / detailed and lacking information in relation to

car parking, pedestrian and vehicular access to the site, public lighting and surface water disposal. The second Senior Executive Technician report dated 4th August 2021 requests clarification of further information be requested in relation to access layout, bin collection, a revised public lighting scheme and revisions to the surface water disposal proposals. The third Senior Executive Technician report dated 4th October 2021 recommends conditions to be attached to a grant of permission.

Environmental Services – No objection. Conditions recommended.

Fire & Building Control - No objection. Conditions recommended.

3.4. **Prescribed Bodies**

Irish Water – The report outlined the remaining capacity (27 p.e.) in the Ballylanders WwTP and advised that further information be requested.

3.5. **Third Party Observations**

Submissions were received from Ciarán & Anne MacDermott and Catherine MacDermott. The issues raised are generally similar to those referenced in the grounds of appeal. These include concerns regarding backland development, access arrangements, no car parking, use of the dwellings, existing over-supply of housing in Ballylanders, and lack of details on waste and surface water disposal.

4.0 **Planning History**

P.A. Ref. No. 04/297: Permission granted for two dwellings on the site (four dwellings had been applied for) subject to 7 conditions relating to the relocation of chimneys, materials, drainage, development contribution. At the time of this application the site the original building on site remained.

PL13.219968 (P.A. Ref. No. 06/1400) – Permission refused for the demolition of a two-storey dwelling and the construction of a three-storey dormer structure consisting of retail use on the ground floor and four number apartment units on the first and second floors for the following reason:

The proposed development, by reason of its height, bulk and design, would result in overlooking and overshadowing of nearby residential properties and would result in a

loss of amenity and privacy to these properties, would be out of scale with the surrounding properties and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

5.1. Limerick County Development Plan 2010-2016 (as extended)

The settlement strategy identifies Ballylanders as being within Tier 5 Small Villages with a range of infrastructural, social and community facilities (Table 3.1: Settlement Hierarchy). These are smaller settlements generally ranging in population from 150 – 400 people with some essential infrastructure (e.g. water and/or sewage facilities) and a range of community infrastructure that provide for convenience and daily needs of the local population and surrounding area. The relevant policies and objectives of the Limerick County Development Plan are set out below.

- Policy CP 03: Quality of Life
- Objective SS 01: Scale of new housing development
- Objective SS 02: Design of development
- Objective SS 03: Capacity of village / town to absorb development
- Objective SS 04: Sequential growth of settlements
- Objective HOU 04: Independent living for older people.
- Policy SS P10: Tier 5 settlements
- Objective SS 014: Proportionate scale of new residential schemes
- Chapter 10: Development Management Guidelines is also relevant, specifically Section 10.5.5 - Infill Residential Development in Urban Areas, Towns & Villages.

5.2. Natural Heritage Designations

There are no European Sites in the vicinity of the site. The closest site is the Galtee Mountains SAC (site code: 000646) located approximately 6.8km to the east.

5.3. EIA Screening

Having regard to the nature and scale of the proposed development and separation from sensitive environmental receptors, I am satisfied that no likely significant impacts on the environment arise from the proposed development and that the carrying out of an EIA is not required in this case.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal are submitted by Catherine MacDermott, Main Street, Ballylanders, Co. Limerick. The main points made can be summarised as follows:

- Contends that the proposed development is overbearing and out of scale and, as a result, will have a negative impact on the residential amenities of neighbouring properties.
- Contends that the proposed development contravenes Objectives SS 02 and SS 014 of the Development Plan.
- Concerned that vehicles crossing the footpath will create a traffic hazard.
- Concerned that lack of parking on-site will impact on-street parking availability.
- Highlights that there are 11 vacant properties in Ballylanders and, therefore, local housing supply is not an issue.
- Contends that the proposal is premature pending the adoption of a village plan and that the development of a backland site such as this may affect future development options.
- Contends that the proposal does not meet Objective IN 041 of the Development Plan with no SuDS proposals shown / agreed.

- Contends that the issues raised in the Irish Water report were not addressed with the WwTP at / near full capacity, which is contrary to Objective IN 08 in the Development Plan and a number of regional level planning policies.
- Queries the grant of permission in the context of the condition of the WwTP and possible adverse impacts on the Natura 2000 network.
- Contends that no EIA screening was undertaken.

6.2. Applicant Response

6.2.1. A response to appeal is submitted by Maria Donoghue, James Corbett Architects, 11 The Crescent, Limerick on behalf of the First Party. The main points made can be summarised as follows:

- A comprehensive site analysis and design statement is included in the response.
- A planning statement is also included in the response.
- Contend that the proposed two-storey houses take their cue from the existing buildings on the Main Street in terms of height, solid to void ratios and materials.
- Acknowledge that there will be some noise disturbance during construction works but that this will be managed in accordance with the planning conditions imposed by Limerick County Council.
- Contend that the form of the single storey houses is designed to have no impact on adjacent sites as regards overshadowing or loss of sunlight.
- A volumetric light study is included with the response that shows no impact of overshadowing or loss of sunlight on adjacent sites.
- State that the proposed housing development is intended as a downsize scheme for older people and complies with Objective SS 014 of the Development Plan.
- Outlines compliance with Objectives SS 01 – SS 06 of the Development Plan.
- Confirms that 5 no. car parking spaces will be provided on the appeal site.

- Contends that the derelict / vacant properties in Ballylanders referenced by the appellant may not be suitable for the intended end-user of the proposed development i.e., elderly people downsizing, which is in accordance with Objective HOU 04 of the Development Plan.
- A report is included from PHM Consulting Engineers confirming:
 - 1) Capacity in the Ballylanders WwTP for the proposed development with a p.e. generated of 9, and
 - 2) On-site disposal of surface water in accordance with the requirements of Limerick County Council and confirming the provision of a drain at the entrance to the appeal site diverting rainwater back into the subsurface drainage system.
- Contends that the proposed small housing scheme is well below the thresholds requiring an EIA screening and / or EIA study to be carried out.
- Highlights the differences between the current planning appeal on the site and the previous appeal that was refused permission (PL15.219968 refers) in terms of reduced scale, character of design proposal, car parking provision and dwelling unit living standards.

6.3. Planning Authority Response

The Planning Authority has not responded to the grounds of appeal.

7.0 Assessment

I consider that the main issues in the assessment of this appeal are as follows:

- Principle of development
- Design and layout
- Impact on residential amenity
- Traffic safety and car parking
- Waste and surface water disposal
- Appropriate Assessment

- Other Issues

7.1. Principle of development

- 7.1.1. The appeal site is located on the main street in the village of Ballylanders. The settlement strategy in the Limerick County Development Plan 2010-2016 (as extended) identifies Ballylanders as being within Tier 5 Small Villages. The site at present is brownfield and has no apparent functional use. Given the mix of uses on the main street in Ballylanders, I consider residential development would be generally acceptable at this location subject to the usual development assessment criteria. These criteria / standards are set out in Section 10.5.5 of the Development Plan in relation to infill development in urban areas. I am satisfied that the current proposals represent an appropriate use of serviced lands in the village centre.

7.2. Design and layout

- 7.2.1. In order to address both the reason for refusal of the previous planning application / appeal on the site and the appellant's contention that the proposed development contravenes Objectives SS 02 and SS 014 of the Development Plan, the First Party submitted a comprehensive site analysis and design statement in response to this appeal. The First Party's architect argues that the proposed two-storey houses take their cue from the existing buildings on the Main Street in terms of height, solid to void ratios and materials.
- 7.2.2. The height to the ridge at the front of the proposed buildings addressing the main street is 7.935m, which is flush with the height of the adjoining Ballylanders Credit Union building on the street to the east. The western part of the proposed semi-detached pair of houses steps down 0.3m from this, which follows the fall of ground to the west along the street and the stepping down of further buildings to the west. The proposed three single storey houses to the north / rear of these are identical in design with ridge heights of 6.145m and with glazing only on their southern elevations that addresses the side garden of each dwelling. I am satisfied that the design of the dwellings is well considered and, in particular, that the proposed street elevation will make a positive contribution to the streetscape in the village centre.

- 7.2.3. Generally, it is difficult to achieve all the development management standards within a proposal on an infill / brownfield site at a village centre location. In this regard, flexibility is provided for within Section 10.5.5 of the Development Plan in relation to the development of infill sites where it outlines that site density, coverage and open space requirements will be considered on a site-specific basis to permit a development to integrate with the existing adjoining development. The development management standards set out for new residential developments may be relaxed in the case of infill development. However, even though the subject site is such an infill / brownfield site, there is only one of the proposed houses with slightly less provision of private open space i.e., 20m² is provided for one of the semi-detached houses instead of 25m² for the remainder of the houses. None of the rear gardens associated with the proposed houses meet the standard seeking 11 metres in depth. However, there are no directly opposing existing or proposed first floor windows and the proposed first floor windows in the semi-detached houses do not overlook any private open space. I consider that the scheme provides for a satisfactory design and layout on this infill site in proximity to the village centre. Given the limited extent of private open space provided, I recommend that the Board include a condition de-exempting extensions to the houses, if permission is issued.
- 7.2.4. In conclusion, having regard to the sites location within the village centre of Ballylanders and the pattern of development in the area, I am satisfied that the development is appropriately designed, could be accommodated at the subject site, that it would result in a development that would be sympathetic to its setting in terms of design, scale and layout.

7.3. Impact on residential amenity

- 7.3.1. The First Party acknowledges that there will be some noise disturbance during construction works but that this will be managed in accordance with the planning conditions imposed by Limerick County Council. The First Party contends that the form of the single storey houses is designed to have no impact on adjacent sites as regards overshadowing or loss of sunlight and a volumetric light study is included with the appeal response that shows no impact of overshadowing or loss of sunlight on adjacent sites.

- 7.3.2. The appeal site demonstrates consistent site levels with the existing adjacent residential and commercial developments. The site is open at present, with the boundary treatment being visible and comprising existing walls, all approximately 2 metres in height. As stated previously, the rear garden depths of the proposed semi-detached houses is approximately 5 metres however, there are no directly opposing existing or proposed first floor windows. Similarly, the proposed first floor windows in the semi-detached houses do not overlook any private open space.
- 7.3.3. In relation to possible overshadowing and loss of sunlight, I consider that there will be no significant loss of sunlight to the rear of the appellant's property. I note the guidance outlined in BRE 8206¹ which recommends that at least half of the amenity space should receive at least two hours of sunlight on 21st March. I consider that, given the extent and aspect of the appellant's rear garden, to the northwest of the appeal site, and the modest height of the single storey houses, that there is limited potential for significant loss of sunlight to occur to this property and I consider that the private open space associated with the appellant's property will receive well in excess of this two hours sunlight guideline.
- 7.3.4. I am also satisfied that any issues in relation to dust, disturbance, light and/or noise pollution could be addressed by means of a Construction Management Plan which could be conditioned.
- 7.3.5. I, therefore, conclude that the proposal would afford a satisfactory standard of amenity to existing and future residents and it would be compatible with the pattern of development in the area.

7.4. Traffic safety and car parking

- 7.4.1. The proposal would utilise an existing entrance off the main street in Ballylanders. The area is governed by the 50 kilometres per hour speed limit. There are existing footpaths at this location on the main street serving the appeal site.
- 7.4.2. I am satisfied that the width of the adjoining public roadway / street is sufficient to cater for the level of traffic generated by the five proposed residential units. No objections were raised by the Operations and Maintenance Section of Limerick City

¹ Section 3.3.7, P.18, Site Layout Planning for Daylight and Sunlight, 2nd Edition

and County Council in relation to roads matters subject to a number of matters being conditioned.

- 7.4.3. Each of the dwelling houses would be accompanied by 1 car parking space, all of which are to be sited at the northern / rear boundary of the appeal site. At present, there is a stone shed at this location on the site. The Planning Authority requested that this stone shed be removed in order to provide the on-site car parking however, the First Party has proposed its retention with the car parking provided within it as part of the correspondence received in response to this appeal. This has introduced an element of ambiguity into the proposal and, for clarity, I recommend that the Board consider attaching a condition requiring that this stone shed be removed in its entirety and 5 no. car parking spaces be provided at this location on the site.
- 7.4.4. Following my observations on the day of my site inspection, I noted the availability of on-street car parking in Ballylanders village centre and I consider that there would be sufficient availability to facilitate visitor car parking for the proposed development on the main street.
- 7.4.5. In conclusion, I am satisfied that the proposed five dwelling houses would be capable of being accessed satisfactorily and that their parking arrangements would, likewise, be satisfactory.

7.5. Waste and surface water disposal

- 7.5.1. In terms of servicing the site, I note that no objections were received from the Operations and Maintenance Services Section of the local authority. Irish Water referenced some operational issues with the existing WwTP but confirmed available capacity for a population equivalent of 29. The proposed development will generate a requirement for 9 p.e. and, therefore can be accommodated within the existing WwTP. On this basis, it is apparent that service capacity issues do not arise in Ballylanders. Therefore, I am satisfied that there is sufficient capacity available within the networks to service this modest infill development.
- 7.5.2. In relation to the disposal of surface water, the appellant contends that the proposal does not meet Objective IN 041 of the Development Plan with no SuDS proposals shown / agreed. The First Party proposes on-site disposal of surface water in accordance with the requirements of Limerick County Council and confirms the

provision of a drain at the entrance to the appeal site diverting rainwater back into the subsurface drainage system. I consider this to be acceptable as the objective in the Development Plan stipulates that it is policy to ensure that developments should, where possible, incorporate sustainable urban drainage systems (SuDS) and, therefore, the proposals for the disposal of surface water on the appeal site are both acceptable and in accordance with policy.

7.6. Appropriate Assessment

- 7.6.1. Having regard to the nature and scale of the development proposed and the absence of any direct or indirect pathway between the appeal site and any European site and the separation distances to the nearest European site (Galtee Mountains SAC (site code: 000646) located approximately 6.8km to the east), no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.7. Other Issues

7.7.1. Vacant properties

I note the comment of the appellant that there are 11 vacant properties in Ballylanders and her contention, therefore, that local housing supply is not an issue. However, in this regard I agree with the First Party in that these derelict properties may not be suitable for the intended end-users of the proposed development i.e., elderly people downsizing and, therefore, I do not consider this a reason for refusal of the proposed development.

7.7.2. Village Plan

I also note the appellants contention that the proposal is premature pending the adoption of a village plan and that the development of a backland site such as this may affect future development options. Ballylanders is identified as a Tier 5 Small Villages under the Limerick County Development Plan 2010-2016 (as extended) and, consequently, any development proposals within the village are assessed against a suite of policies and objectives contained within the Development Plan for these types of settlements.

8.0 Recommendation

I recommend that permission for the proposed development be granted for the following reasons and considerations, subject to conditions.

9.0 Reasons and Considerations

Having regard to the zoning objective for the site, the design and layout of the proposed development and the policies and objectives of the Limerick County Development Plan 2010-2016 (as extended), it is considered, subject to the conditions set out below, that the proposed development would not seriously injure the residential amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety. 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 as amended by the further plans and particulars submitted on the 9th day of July 2021 and 22nd September 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>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>

3.	<p>The existing stone shed at the rear of the site shall be removed in its entirety and 5 no. car parking spaces shall be provided at this location on the site. Precise details of the layout of these car parking spaces shall be agreed in writing with the Planning Authority prior to commencement of development on the site.</p> <p>Reason: In the interest of clarity.</p>
4.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5.	<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>
6.	<p>The footpaths shall be dished at road junction in accordance with the requirements of the planning authority.</p> <p>Reason: In the interest of pedestrian safety.</p>
7.	<p>Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p>Reason: In the interests of amenity and public safety.</p>
8.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
9.	<p>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision</p>

	<p>modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwellings without a prior grant of planning permission.</p> <p>Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings.</p>
10.	<p>The external site boundaries shall be retained and incorporated into the proposed development per the details submitted. All rear gardens shall be bounded by block walls, 1.8 metres in height, capped, and rendered, on both sides, to the written satisfaction of the planning authority.</p> <p>Reason: In the interests of residential and visual amenity.</p>
11.	<p>No walls, fences or other boundary treatment shall be constructed around the front gardens of the Proposed single storey dwellings, and front gardens shall be kept as “open plan” per the details submitted.</p> <p>Reason: To ensure that the proposed scheme remains open plan in nature/appearance, in the interest of visual amenity.</p>
12.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority’s written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility.</p>
13.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 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</p>

	<p>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>
14.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
15.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
16.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory</p>

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

Liam Bowe
Planning Inspector

4th April 2022