



An  
Bord  
Pleanála

## Inspector's Report ABP 311927-21

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<b>Development</b>	Construction of 1 additional 2 storey detached dwelling house at the existing 'Glashaboy View' housing development (granted under Planning Ref: 20/39403).
<b>Location</b>	Glashaboy View, Sallybrook, Riverstown, Cork City.
<b>Planning Authority</b>	Cork City Council.
<b>Planning Authority Reg. Ref.</b>	21/40462
<b>Applicant(s)</b>	DCN Developments Limited.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse Permission.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	DCN Developments Limited.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	04 <sup>th</sup> July 2022.
<b>Inspector</b>	Brendan Coyne.



# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	5
4.0 Planning History.....	9
5.0 Policy and Context.....	10
5.1. Development Plan.....	<b>Error! Bookmark not defined.</b>
5.2. Natural Heritage Designations .....	12
5.3. EIA Screening .....	12
6.0 The Appeal .....	13
6.1. Grounds of Appeal .....	13
6.2. Applicant Response .....	<b>Error! Bookmark not defined.</b>
6.3. Planning Authority Response .....	14
6.4. Observations .....	14
6.5. Further Responses.....	<b>Error! Bookmark not defined.</b>
7.0 Assessment.....	15
8.0 Recommendation.....	18
9.0 Reasons and Considerations.....	18
10.0 Conditions .....	18

## 1.0 Site Location and Description

1.1. The site, which has a stated area of 0.04 ha, is located at the northern end of a row of dwellings under construction, within the residential estate known as "Glashaboy View", at Sallybrook, Riverstown in Cork City. The site is elevated with a steep slope, dropping from 59.5m O.D. at the eastern boundary to 53m O.D. at the western boundary. A cul-de-sac residential road within the Glashaboy View estate, with occupied dwellings along its western side, adjoins the site's northern boundary. The ground level of this cul-de-sac is considerably lower than the appeal site, with a ground level of 53m O.D. at its southern end. An elevated residential road serving the appeal site runs parallel to the cul-de-sac. A woodland adjoins the western boundary and an ash tree is located along the northern field boundary. The Glashaboy View Housing Estate is accessed off the R-639 Regional Road to the west. The River Glashaboy is located c. 128m to the south-west.

## 2.0 Proposed Development

2.1. Permission is sought for the following, as described in public notices;

- Construction of 1 no. additional 2-storey detached dwelling house at the existing 'Glashaboy View' housing development currently under construction, as granted permission under P.A. Ref. 20/39403.
- All associated site works, including the provision of 2 no. car parking spaces, landscaping and boundary treatments.
- The proposed dwelling will be served by the existing site entrance, access road, and site services permitted under P.A. Ref. 20/39403.

2.2. Documentation submitted includes;

- Landscape Report,
- Tree Survey.

## 3.0 Planning Authority Decision

### 3.1. Decision

Cork City Council REFUSED permission for the proposed development. The reason for refusal was as follows;

*The site is located in an area that is defined as being a high-value landscape in the Cork County Development Plan 2014.*

*The proposed dwelling is located on an area of the development site whereby the established field boundary is to be retained and protected as part of the permitted landscaping scheme in governing permission T.P 18/4551 and T.P 20/39403. To remove this field boundary is contrary to the specific zoning objective in the Cobh Municipal District Local Area Plan 2017 which pertains to the site and which seeks "the retention of existing natural growth on the existing site boundaries"; Further, the construction of a dwelling at this location would negatively impact on the visual amenities of the permitted housing scheme. The proposed development is therefore contrary to the proper planning and sustainable development of the area*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Report

The basis for the Planning Authority's decision includes the following:

- The existing use is open space, and the proposed use is residential.
- The site is located within the development boundary for Glanmire, as set out in the Cobh Municipal District Local Area Plan 2017.
- The lands are zoned for residential development and are subject to a specific zoning objective, 'GM R-04 - medium - B density residential development', which requires the following:
  - no development (roads, dwellings or structures) within 50m of the existing northern site boundary;

- a natural planted corridor to be provided at 50m from the existing northern site boundary;
  - a comprehensive landscaping scheme including the retention of existing natural growth on the existing site boundaries;
  - provision of a 25m deep landscaped corridor along the eastern site boundary, and;
  - access provided via the adjoining residential development under construction to the northwest, the access road shall initially follow the lower site contours and shall minimise its encroachment into the 50m buffer to be provided.
- The site is designated as a high value landscape in the Cork County Development Plan 2014.
  - The proposal provides new landscaping on the lower portion of the site to screen the retaining wall.
  - The Parks Officer report requested additional information, requiring that the proposed house be plotted on a drawing showing the trees' location in the adjoining wooded area, as the proposed retaining wall along the northern boundary may impact some trees in the wooded area.
  - Condition No. 3 under the governing permission P.A. Ref. 18/4551 requires that *The site shall be landscaped in accordance with the landscaping scheme submitted to the Planning Authority on 14th June 2018. This landscaping scheme shall be completed prior to first occupation of the proposed development to the satisfaction of the Planning Authority. Reason: In the interests of visual amenity and orderly development.*
  - The landscaping plan under P.A. Ref. 18/4551 depicts the retention of an established field boundary running east-west through the centre of the site, with the eastern element incorporated into a central area of open space.
  - During site inspection, it was discovered that, with the exception of one tree (which is proposed for removal under the application), the entire field boundary, including the strip to the east of the application site, has been removed.

- The removal of this established field boundary is contrary to the permitted landscaping scheme as well as the site's specific zoning objective, which seeks "the retention of existing natural growth on the existing site boundaries";
- The proposed dwelling is two-storeys in height with a stated floor area of 138.4 m<sup>2</sup>.
- The proposal's design is in keeping with the remainder of the dwellings in the estate.
- The rear garden area is sufficient.
- The Area Engineer and Drainage Department raised no concerns.
- The proposed dwelling is located on higher ground than the dwelling to the northwest (No. 17), with a significant amount of fill proposed to level the site to that of adjoining permitted dwellings to the south.
- Due to the difference in ground level, section drawings of the dwellings to the northwest are required to accurately assess any adverse impact on these dwellings.
- The proposal to remove extensive amounts of trees and hedgerows is contrary to policy G.I. 6 - 1 Landscape of the Cork City Council Development Plan.
- The original plan was advantageous for general visual amenities within the housing development because it utilised the existing slope and natural vegetation to screen the block walls and fill used on the site's upper part.
- The applicant proposes to plant on the lower slope, but this will be on a lower portion of the site, beyond the original field boundary, and infilling the site will require the removal of the remaining tree.
- No protective measures are in place to protect this tree during construction.
- The Planning Authority concludes that removing this established field boundary and adding another dwelling is contrary to the permitted landscaping scheme and the site's specific zoning objective, which seeks "the retention of existing natural growth on the existing site boundaries," and would have a negative impact on the visual amenities of the housing scheme.
- On this basis, the Planning Authority recommend the proposed development be refused permission.

### 3.3. Other Technical Reports

3.3.1. **Parks Report:** Further information is requested, stating the following;

- The proposed unit should be plotted on a drawing showing the trees in the adjoining wooded area.
- The proposed retaining wall along the northern boundary may impact some trees in the wooded area.

3.3.2. **Drainage Report:** No objection subject to Condition.

3.3.3. **Area Engineer Report:**

- The site is located within the Glashaboy Woods Housing Estate, which already has an entrance off the R-639 Regional Road.
- The Glashaboy Housing Estate is not taken in charge by Cork City Council as it is still under construction.
- The applicant proposes no alteration to the site entrance from the estate road permitted under P.A. Ref. 18/04551 and ABP Ref.302209.18.
- The sightlines at the proposed site entrance are adequate for the location within a housing estate.
- Vegetation or other structures should not exceed 1m in height within the sight distance triangle.
- The applicant has detailed adequate parking and turning movements on the site.
- The proposed development would be connected to the existing public mains and sewer.
- Conclusion - no objection subject to standard Conditions.

3.3.4. **Environment Report:** No objections.

3.3.5. **Infrastructure Report:** No objections.

**Contributions Report:** Total development contributions - €3,784.08



## 4.0 Planning History

The appeal site was located within the administrative area of Cork County Council until 31st May 2019, whereby the administrative area of Cork City Council was extended.

**P.A. Ref. 20/39403** Permission GRANTED by Cork City Council in Nov. 2020 to DCN Developments Ltd. for the proposed construction of 66 no. dwelling houses and all associated ancillary development works, including pedestrian access, parking, footpaths, drainage and landscaping at 'Glashaboy View', Sallybrook, Riverstown, Glanmire, Cork. The permitted dwelling units will replace 57 no. units permitted previously by Cork County Council under P.A. Ref. 18/4551 and ABP Ref. ABP-302209-18. Relevant condition(s) included the following

Condition No. 19: Where feasible the planting of native pollinator friendly species of plants and trees shall be incorporated into the landscape plan.

Reason: To enhance the biodiversity of the site.

**P.A. Ref. 18/4551 and ABP Ref. 302209-18** Permission GRANTED ON APPEAL in Jan 2019 to demolish 1 no. existing dwelling house and the construction of 89 no. dwelling houses as an extension of the Glashaboy Woods estate under construction. Relevant condition(s) included the following:

Condition No. 3: The proposed development shall be amended as follows:

(a) a detailed survey of existing vegetation along the southern boundary of the site shall be prepared,

(b) proposals to augment the screening properties of this vegetation by means of further planting shall be prepared,

(c) proposals for all means of enclosure to gardens and open space abutting the southern boundary shall be prepared and fully reconciled with the retention of existing vegetation and its augmentation, and

(d) proposals for the grading of the rear and side gardens to the dwellinghouse on plot 35 along with the introduction of permanent privacy screens, as appropriate, shall be prepared.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

## 5.0 Policy and Context

### 5.1. Cork City Development Plan 2022-2028

The site is located within the administrative area of Cork City Council, which was extended on the 31<sup>st</sup> May 2019 to include (inter alia) Glanmire and the appeal site. The Cork City Development Plan 2022-2028 was adopted on the 27<sup>th</sup> June 2022 and comes into effect from the 08<sup>th</sup> August 2022.

The Board should note that the application was assessed under the Cork County Council Development Plan 2014-2020 in accordance with Section 30 of the Local Government Act 2019, whereby the Cork County Council Development Plan and Local Area Plans were in force in the area and continued to apply until the new Cork City Development Plan 2022-2028 came into effect. As such, the following provisions under the Cork City Development Plan 2022-2028 are considered relevant:

**Zoning:** The site is zoned ZO 02 New Residential Neighbourhoods. Adjoining lands to the west are zoned ZO 15 Public Open Space. (Map 13)

#### **Section 6.69 Trees and Woodlands**

##### **Objective 6.5 Trees & Urban Woodland**

- a. To protect and enhance the City's tree and urban woodlands in public and private ownership. Cork City Council will seek to survey, map and maintain existing important individual and groups of trees, using Tree Preservation Orders as appropriate;
- b. To encourage the planting of new urban woodlands and trees where appropriate throughout the City and particularly where there are deficiencies in tree coverage as identified in the Cork City Green and Blue Infrastructure Study;
- c. To support the preparation of a City Tree Strategy which provides a vision for long term planting, protection and maintenance of trees, hedgerows and woodlands;

- d. To support retaining existing trees and the planting of new trees as part of new developments subject to care on the species of tree and the siting and management of the trees to avoid conflict with transport safety and residential amenity in particular;
- e. To promote the planting of pollinator friendly native deciduous trees and mixed forestry to benefit biodiversity.

#### **Objective 6.9 Landscape**

- e. To discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

#### **Objective 10.98 Protection of Natural**

##### **Landscape**

- d. Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

#### **Section 11.74 Quantitative Standards for all Residential Development**

### **5.2. Cobh Municipal District Local Area Plan 2017**

**Section 3.3** - The site is located within the settlement boundary of Glanmire, which is defined as one of the main towns within the municipal district of Cobh.

**Zoning:** The site is zoned Residential

**Specific Objectives:** Glashaboy View and the appeal site are subject to specific development objective 'GM-R-04' which permits

*'Medium B density residential development'*, subject to the following:

- *no development (roads, dwellings or structures) within 50m of the existing northern site boundary;*
- *a natural planted corridor to be provided at 50m from the existing northern site boundary;*
- *a comprehensive landscaping scheme including the retention of existing natural growth on the existing site boundaries;*
- *provision of a 25m deep landscaped corridor along the eastern site boundary, and;*
- *access provided via the adjoining residential development under construction to the northwest, the access road shall initially follow the*

*lower site contours and shall minimise its encroachment into the 50m buffer to be provided.*

Adjoining lands to the east are subject to specific objective 'GM-O-01' which refers to the following;

*Open Space. This prominent slope makes a significant contribution to the setting of Glanmire. There is a presumption against development on these lands because of the importance of the hillside to the setting of the area.*

### **Section 3.3.23 - Landscape Value:**

Glanmire is located within a landscape type of national importance described in the Draft Landscape Strategy as City Harbour and Estuary. A very high landscape value is attributed to it in the Draft Strategy (scenic landscapes with highest natural and cultural quality, areas with conservation interest and of national importance) and its sensitivity is described as very high (extra vulnerable landscapes – for example, seascape area with national importance – likely to be fragile and susceptible to change).

### **Cork Landscape Study 2008.**

#### **5.3. Relevant Government Policy / Guidelines**

Tree Preservation Guidelines DOELG (1994) - Chapter 15, 'Biodiversity and Environment' includes a section on the Trees and Woodlands which makes specific reference to these guidelines.

#### **5.4. Natural Heritage Designations**

The nearest Natura 2000 European Site to the appeal site is the Cork Harbour SPA (Site Code: 004030), approx. 2.6km south-west of the site.

#### **5.5. EIA Screening**

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. Therefore, the need for

environmental impact assessment can be excluded at preliminary examination, and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- The proposed Glashaboy View development was deemed acceptable within a High-Value Landscape area under P.A. Ref. 20/39403 because it would be well screened.
- The proposed development under the subject appeal will also be well screened.
- Due to outdated satellite images, the aerial photographs provided by the area planner in the pre-planning meeting minutes did not reflect the poor condition of the treeline at the time.
- The proposed scheme is of comparable quality to the schemes permitted under P.A. Refs.18/4551 and 20/3903.
- The proposed comprehensive design incorporates the previously approved scheme in terms of screening measures and provides the site with a new and healthy hedgerow/field boundary.
- The proposed landscaping scheme would be beneficial to the overall housing development.
- The proposed development site is situated in unusable green space, as all but one of the trees along the existing field boundary have been removed.
- Due to the poor health of the original trees, retaining the existing tree line would have had a negative impact on the scheme and posed a serious health and safety risk for those working on the site and future occupants of the scheme if they were not removed.
- According to the Arborist, the ash tree on this tree line has extensive basal scarring and decay and is susceptible to windthrow. This tree should be removed due to its poor condition and susceptibility to windthrow.

- The landscaping plan that accompanied the application demonstrated how it would provide a new native habitat/biodiversity area in close proximity to the original treeline/hedgerow, thereby improving the area's landscaping compared to what was there originally.
- In response to the Council's Park Officer's request for additional information, a diagram of the proposed unit indicating the location of the trees in the adjacent wooded area is submitted. The proposed retaining wall along the northern boundary will not affect the wooded area's trees, as depicted in the drawing and stated in the Landscape Architect's report.
- The Landscape Masterplan permitted under P.A. Ref. 18/4451 stated that its aims are to be achieved by "retaining existing vegetation where feasible".
- It was not possible to keep the existing field boundary to the east of the subject site during the construction phase of P.A. Refs. 18/4551 and 20/39403. This boundary, however, is being replaced and will adhere to the original landscape masterplans that were approved.

6.1.1. Documentation submitted with the appeal includes (inter alia);

- Site Layout (Drawing No. 01)
- Landscape Architect's Report
- Arborist's Tree Survey
- Landscape Master Plan
- Revised plotted drawing addressing Further Information request from the Planning Authority's Parks Officer (Drawing No. 03)
- Copy of the Pre-Planning Meeting Minutes.

6.2. **Planning Authority Response**

The Planning Authority did not respond to the grounds of appeal.

6.3. **Observations**

None

## 7.0 Assessment

7.1. I have reviewed the proposed development and the correspondence on the file. I am satisfied that the proposed development is acceptable in principle, in accordance with the zoning objective of the site. The main issue for consideration is the reason for refusal, as cited by the Planning Authority. This can be addressed under the heading 'Removal of Field Boundary'. I am satisfied that all other issues were fully addressed by the Planning Authority and that no other substantive issues arise. The issue for consideration is addressed below.

### 7.2. Removal of Field Boundary

7.2.1. The proposed development comprises the construction of a detached two-storey 3-bedroom dwelling within the 'Glashaboy View' housing development. The appeal site is located at the north-western corner of the housing development permitted under P.A. Ref. 20/39403. This permitted development modified the housing development permitted on appeal under P.A. Ref. 18/4551 and ABP Ref. 302209-18. The site is located at the northern end of a row of houses currently under construction, and contains an elevated platform with a steep slope, dropping from 59.5m O.D. at the eastern boundary to 53m O.D. at the western boundary. The northern boundary adjoins a cul-de-sac residential road within the Glashaboy View estate, with a row of occupied 2-storey dwellings along its western side. This cul-de-sac has a significantly lower ground level than the appeal site, with a ground level of 53m O.D. at its southern end. An elevated residential road serving the appeal site runs parallel to the cul-de-sac, with a steep landscaped slope separating the two roads. A woodland adjoins the site's western boundary.

7.2.2. Proposed works include land infill to provide a platform for the proposed dwelling, with a stated finished floor level of 59.7m O.D. The proposed land infill will raise the site above the adjacent cul-de-sac to the north, which has a ground level of 53m O.D. The section drawings show the proposal provides a reinforced concrete retaining wall with an overall height of 5.3m (varying in height depending on the slope) and a 1.8m high masonry screen wall over it, along the site's northern boundary. The proposal also provides a c. 3m high retaining wall with a guard rail over it, along the lower northern boundary of the site, adjoining the cul-de-sac to the north. Site inspection found that

retaining walls have already been erected along the eastern side of the adjoining cul-de-sac to the north.

- 7.2.3. The Planning Authority, in its reason for refusal, states that the site of the proposed development is located in a high value landscape area and a section of the housing estate where the established field boundary is to be retained and protected as part of the landscaping scheme permitted under P.A. References 18/4551 and 20/39403 / ABP Ref. 302209-18. The Planning Authority considers the removal of this field boundary contrary to the site-specific zoning objective in the 2017 Cobh Municipal District Local Area Plan, which seeks "the retention of existing natural growth on the existing site boundaries". In addition, the Planning Authority considers the construction of a dwelling at this location would negatively impact the visual amenities of the permitted housing scheme. On this basis, the Planning Authority recommends that the proposed development be refused permission. The Applicant contests this reason for refusal, as detailed in Section 6.0 above.
- 7.2.4. The appeal site is located within a 'High Value' Landscape, as described in Section 3.3.23 of the Cobh Municipal District Local Area Plan 2017. Having regard to the existing housing development within the Glashaboy View housing development, as permitted under P.A. Ref. 20/39403 and P.A. Ref. 18/4551 / ABP Ref. 302209-18, I do not consider the proposed development would detract significantly from the landscape value of the immediate environs.
- 7.2.5. Regarding the established field boundary referred to by the Planning Authority, the submitted Landscape Report details the location of the previous treeline and hedgerow along the site's northern boundary, which ran in an east/west direction. The Landscape report states that the trees and hedgerow at this location were affected by storm damage. Photograph 'A' within the Landscape Report shows the trees and hedgerows in question before the storm damage and details how two trees were felled and removed from the site on health and safety grounds. The submitted Tree Survey describes how wind damage to the hedgerow necessitated its removal. Photograph B in the Landscape Report shows the remaining ash tree along the northern field boundary. The Tree Survey recommends removing this tree due to its poor condition and susceptibility to windthrow.



7.2.6. The Landscape Report details proposed mitigation measures for the loss of trees and hedgerow at this location, which include planting a mix of native semi-mature trees and understory transplants/whips. The Landscape Report states that semi-mature specimen trees will be planted along the northern boundary to provide an immediate visual impact, and adjacent sloped embankments will be planted with transplants and whips appropriate to the area's sloping ground. According to the Landscape Report, the planting will provide a native habitat/biodiversity area close to the original tree line/hedgerow. Given that the trees and hedgerows along the site's northern boundary have been largely removed, and taking into account the proposed mitigation measures for the loss of trees and hedgerow at this location, I do not consider it appropriate to refuse permission for the proposed dwelling on the grounds that the removal of this field boundary is contrary to the site-specific zoning objective in the 2017 Cobh Municipal District Local Area Plan, which seeks "the retention of existing natural growth on the existing site boundaries". It is my view that the proposed landscaping scheme would provide a suitable replacement for the trees and hedgerow lost at this location and would minimise the visual impact of the proposed retaining walls. Given the positioning of the proposed dwelling relative to the cul-de-sac to the north and the visibility of the existing dwelling to the south of the appeal site (under construction), I do not consider the proposed dwelling would adversely impact the visual amenity of the streetscape from the cul-de-sac to the north. The Landscape Report states that the proposed planting will be managed annually to ensure their successful establishment, and any defective plants will be replaced. The proposed development will not impact the existing woodland to the west of the site. The erection of post and panel fencing along the western rear garden boundary will prevent the need for strip foundations and ensure the root protection zone of the woodland trees is not impacted. I concur with the Planning Authority that the form and design of the proposed dwelling is consistent with the rest of the houses in the estate. On this basis, I recommend that the proposed development should not be refused permission based on the Planning Authority's reason for refusal and that the Board grant permission for the proposed development, subject to the imposition of appropriate conditions.

### 7.3. Screening for Appropriate Assessment

- 7.3.1. Having regard to the nature and scale of the proposed development to provide one additional house in a fully serviced and zoned residential area and the nature of the receiving environment and the lack of connections to the nearest European site, the Cork Harbour SPA (Site Code: 004030), approx. 2.6km south-west of the site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### 8.0 Recommendation

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

### 9.0 Reasons and Considerations

- 9.1. Having regard to the residential land use zoning of the site, the pattern of development in the area, the size of the site and the layout and design of the proposed development, it is considered that, subject to compliance with the Conditions set out below, the proposed development would not adversely impact the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### 10.0 Conditions

1.	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.
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	<b>Reason:</b> In the interest of clarity.
2.	<p>Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission(s) granted under planning register reference number 20/39403, and any agreements entered into thereunder.</p> <p><b>Reason:</b> In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).</p>
3.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.</p> <p><b>Reason:</b> To ensure adequate servicing of the development, and to prevent pollution.</p>
4.	<p>The applicant or developer shall enter into a water connection agreement with Irish Water prior to the commencement of this development.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>The removal of the tree along the northern boundary of the site and the construction of the retaining walls and all initial and associated groundworks shall be supervised by a suitably qualified engineer. The engineer shall monitor and ensure the works do not impact on the site stability of adjoining sites and the structural integrity of dwellings on these sites.</p> <p><b>Reason:</b> In the interest of safety and residential amenity.</p>
6.	<p>(i) Any entrance gates shall open inwards towards the site and not outwards onto the public road.</p> <p>(ii) All works shall be carried out at the developer's expense and to the requirements of the planning authority.</p> <p><b>Reason:</b> To ensure a satisfactory standard of development and in the interest of traffic safety.</p>
7.	<p>All external finishes, including roof tiles, shall harmonise in colour and texture with the dwelling on the adjoining site to the south.</p>

	<b>Reason:</b> In the interest of visual amenity.
8.	All public service cables to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site. <b>Reason:</b> In the interest of visual amenity.
9.	All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works. <b>Reason:</b> To protect the amenities of the area.
10.	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. <b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.
11.	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. <b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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Brendan Coyne  
Planning Inspector

08<sup>th</sup> August 2022