



An
Bord
Pleanála

Inspector's Report

ABP-312438-22

Development	4 No. 2 storey semi-detached dwellings. Revised by Significant Further Information to 2 units.
Location	Brownstown Lower, The Curragh, Co. Kildare.
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	201483
Applicant(s)	The Adroit Company Limited.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	John and Denise O'Neill.
Observer(s)	Jeanne Kennedy.
Date of Site Inspection	7 th July 2022
Inspector	Lucy Roche

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1.0 Site Location and Description

- 1.1. The proposed development site is located in the village of Brownstown in The Curragh, County Kildare, approximately 3km southwest of Junction 12 on the M4 and 1km south of the Curragh Camp.
- 1.2. The site is a backland / infill site, comprising a parcel of previously undeveloped land within the existing residential development known as The Grove. The Grove is a residential cul-de-sac comprising a row of 4no detached dormer dwellings which overlook an area of public open space to the north.
- 1.3. The site has a stated area of 0.08ha and is situated to the immediate east of the row of detached dormer dwellings and to the west of a single storey bungalow which fronts onto the public road. The site is laid out in grass and is bounded to the west, south and east by a high block wall. The northern boundary opens onto the cul-de-sac road.
- 1.4. Access to the site is proposed via the existing entrance and cul-de-sac road serving The Grove. The cul-de-sac road culminates c50m to the west of the appeal site, close to the boundary of the newly constructed residential development to the west, permitted under ABP 303414 (Kildare County Council Ref: No:18/417).

2.0 Proposed Development

- 2.1. The proposed scheme as originally submitted to the planning authority comprises the construction of 4no. two storey semi-detached dwellings with associated landscaping, car parking, vehicular access, connection to existing services and all ancillary works.
- 2.2. The proposed scheme was amended in response to a request for further information. The revised scheme comprising proposals for the construction of 2no detached dormer dwellings in lieu of the previously proposed 4no. two storey semi-detached dwellings.
- 2.3. Table 1 below provides a summary of the key site / development statistics associated with both the original and revised scheme.

Table 1: Key Figures		
Site Area	0.08ha	
	Original Proposal	Amended Proposal
No. of Units	4	2
Gross Floor Area	506.40sqm	336sqm
Unit Size	126.6sqm	168sqm
Density	50units / ha	25units /ha
Height	7.624m	8.494m
Type	3-bed semi-detached	4-bed detached dormer
Parking	2no in-curtilage spaces	2no in-curtilage spaces

3.0 Planning Authority Decision

3.1. Decision

Kildare County Council did by order dated the 8th of December 2021 decide to grant permission for the construction of 2no detached dormer dwellings etc subject to 33no conditions. The following conditions are of note:

Condition 2: Restricts the occupancy of the development in accordance with Policy VRS 3

Condition 14 states:

Prior to the commencement of development, the developer shall obtain the written approval of the Planning Authority for a filtered permeability link with the adjoining development (18/417). The Developer shall prepare a drawing for a 2-metre-wide pedestrian permeability link at the end of the Grove. The two estates shall be connected via a ramp, with a maximum gradient of 1:20. In addition, the developer shall ensure that landings are not less than 2 meters square between handrails. The applicant is requested to demonstrate compliance with technical guidance document M of the building regulations to facilitate wheelchair users and detail 3 attached. The

applicant is requested to liaise with the neighbouring developer (18-417) and finalise details for landscaping, public lighting, materials, and boundary treatment adjacent to the western boundary of House Number 1 The Grove, a property owned by the Developer of 20-8413 as stated in the further information response dated 28/10/2021, and the public open space in the adjoining development 18-417 (Glan Developments Limited).

The developer is requested ensure the detailed design maximises passive surveillance and clarifies the repositioning of driveway car parking and front boundary details for the 1st house nearest the Permeability Link on The Grove, without encroaching on the Driveways of houses in 18-417. The Developer shall be liable for all costs associated with the pedestrian link.

Reason: To promote active travel

Condition 15 States:

The internal road network serving the proposed development including permeability link, turning bays, junctions, sight distances, footpaths and kerbs shall be in accordance with the detailed requirement of the planning authority for such works, and shall comply in all respects with the Design Manual for Urban Roads and Streets. To facilitate connectivity and permeability, the finish surface of all roads and footpaths at the boundary with the adjoining development 18/417 shall meet up to the site boundary within the provision of a grass verge or ransom strip.

Reason: In the interests of pedestrian and traffic safety

Condition 16: requires the developer to maintain public area, including permeability link until the development is taken in charge

Condition 32: Requires the payment of development contributions

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The reports of the case planner have regard to the location context and planning history of the site, relevant planning policy and the interdepartmental reports and third-party submissions received.
- While they accept the principle of infill residential development on this site, they consider that the provision of 4no units at a density of 50units to the hectare is excessive for the rural settlement and that it would give rise to an intensification of development within The Grove which they consider would likely impact on the residential amenities of adjoining properties. They consider that a development of 2no units at a density of 25 units to the hectare would to be acceptable on this infill site and a request for further information is issued on this basis.
- Further information was also requested on issues raised by Roads and Transportation, and Water Services, including issues relating to the provision of a filtered permeability link with the development to the west (18/417)
- The second planning report, completed following the receipt of further information, recommends a grant of permission that is consistent with the notification of decision which issued

3.2.2. Other Technical Reports

District Engineer:

Jan 2021: No Objection subject to conditions

Water Services:

Nov.2020 Requests further information in relation to:

- Proposed connection to public mains water and sewerage
- Surface water drainage
- Flood Risk Assessment

Nov 2021 No objection subject to conditions

Roads and Transportation:

Jan 2021 Requests further information in relation to:

- The provision of a filtered permeability link with the development to the west (18/417)
- Improved pedestrian priority at the junction between The Grove and the main road
- The width of the footpath
- The relocation of the existing lamp standard to the front of the site
- The surface of the Groves main carriageway (in a poor state of repair)

Dec 2021 No objection subject to conditions

3.3. Prescribed Bodies

Irish Water:

Nov. 2020 Requests further information in the form of a pre-connection inquiry

Nov 2021 No objection subject to conditions

3.4. Third Party Observations

The Planning Authority received a number of third-party submissions from existing residents of The Grove during the course of their determination of the application. The contents of these submission have been noted and the issues raised have been grouped and summarised below:

- Reference made to the planning history of the site which allowed for the construction of a total of 6no dwellings within The Grove.
- The development of 4no houses would represent over development of this site and would be out of character with the established residential development of The Grove

- The proposed house type/design would be out of keeping with existing dwellings in the estate
- The Grove cannot accommodate the additional traffic that would be generated by this development, nor can it cater for the additional parking demand from four additional dwellings
- The green area within the estate is not adequate to facilitate four additional houses
- The need for this development is queried having regard to other recent developments within the settlement
- The proposed development would impact the privacy of existing properties
- Concerns raised regarding the ability of the sewerage system to cater for the additional load
- Queries raised in relation to the occupancy restrictions that would be imposed on the proposed development.
- Objection raised in relation to the creation of a permeable link to the adjoining development to the west.

4.0 Planning History

4.1. Previous applications relating solely to the proposed development site:

12/348 Permission granted (2013) for 2 no. dormer style dwellings as per previously granted application (plan ref 05/1019) etc

4.2. Previous applications relating to the residential development - The Grove

05/1019 Permission granted (2006) for the demolition of existing bungalow and the construction of 6 no. dormer bungalows etc

4.3. Other relevant applications:

ABP 303414-19 (Kildare Ref: 18/417):

Permission granted (2019) for an extension of the previously completed development at Brownstown Manor under Reg. Ref.

05/1133, and 11/260, consisting of the construction of 46 No. dwelling houses, etc

Note: It is noted that this permission includes for the provision of a pedestrian/cycle connection to the open space within the adjoining residential development of Curragh Downs. Condition 7 as attached to 18/417 relates.

5.0 Policy Context

5.1. Kildare County Development Plan 2017-2023 (KCDP)

- 5.1.1. The site is located within the 'Rural Settlement' of Brownstone. Table 4.2 provides guidance on appropriate locations for new residential development. In respect of 'Rural Settlements', the emphasis is on the sequential development of lands with undeveloped lands closest to the settlement core being given first priority. In order to offer an effective alternative to the provision of single houses in surrounding unserviced rural areas, proposals for developments with densities of 15 dwellings per hectare will be considered. A strong emphasis will also be placed on encouraging infill opportunities
- 5.1.2. Volume 2. Section 2 sets out the land use strategy for the Villages and Rural Settlements whereby Rural Settlements will develop as local centres for their rural catchments with growth appropriate to cater for local demand. Each Rural Settlements is subject to a development strategy. Each settlement strategy comprises a settlement core, existing built-up area, settlement expansion area and a settlement boundary. The lands within the defined settlement boundaries do not constitute zoned land.
- 5.1.3. The proposed development site is located within the "Existing Settlement" area of Brownstone. Table 2.7 of Volume 2 identifies 'Existing Settlement' areas a mainly residential in nature and states that developments that enhance the character and vitality of the existing settlement do not negatively impact on the existing residential amenity will be encouraged.

Development Objectives for this area include:

- Any proposals for residential infill should preserve or improve residential amenity, being at an appropriate scale, density and form to the existing residential character of the area
- All infill development proposals will be subject to a high-quality design response and will not impact negatively on the residential character and residential amenity of the existing settlement.

5.1.4. Table 4.2 of the KCDP provides indicative density levels for Rural Settlements as follows:

Category	Location for new Development	General Density Parameters (Units per hectare)
Rural Settlements (Pop 50-600)	Infill, backland and edge of centre sites within Rural Settlements	15 units per ha with lower density in some cases

5.1.5. Relevant Objectives / Policy

SO 8 Support the development of rural settlements and rural areas in a balanced, sustainable manner, having regard to the overall settlement hierarchy, social, economic and environmental characteristics of their area and their residents and in accordance with the policies and objectives set out in Chapters 4, 10 and Section 1 Volume 2 as may be appropriate.

VRS 3 Facilitate sustainable population growth in the identified Rural Settlements with growth levels of up to 20% over the Plan period to cater primarily for local demands. Local demand for rural settlements is defined as persons residing for a period of 5 years within a 10km radius of the site. 'Primarily for local demand' shall be defined as being in excess of 50% of the overall development

VRS 11 Ensure that all development proposals have regard to Volume 1, Chapters 7 Infrastructure and 17 Development Management Standards of the County Development Plan.

5.2. Natural Heritage Designations

The proposed development site is not located on or within proximity to any designated Natura 2000 site.

The Curragh pNHA is located c200m to the north.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed development which comprises a small infill residential development, and the absence of any significant environmental sensitivity in the vicinity, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal lodged by John and Denise O'Neill, residents of The Grove, against the decision of the planning authority to grant permission for the construction of 2no detached dormer dwellings at The Grove, Brownstone Lower, The Curragh, Co. Kildare. The appeal relates to the provision of a filtered permeability link between The Grove and the adjoining residential development to the west, permitted under Kildare County Council Reference 18/417. The issues raised in the grounds for appeal are summarised below:

- The provision of a walk through permeability link would impact on the residents of The Grove and has potential to impact negatively on the resale value of homes.
- The area identified for the permeability link within The Grove is unsuitable. The area is narrow and located at the access to No.1 The Grove. It is also used as an overflow parking area for services vehicles etc. The installation of

a pedestrian access in such a busy and congested area would be highly dangerous and irresponsible.

- The proposed pedestrian link would eliminate the safe use of the contained recreational area within The Grove by children as it would facilitate access into busy estates and the dangerous and busy road and traffic associated with those estates
- The pedestrian link was not included as part of the original application. The appellants query the need for the pedestrian link and why it is now being considered in the absence of consultation with residents
- They also query why (as per condition 14) the driveway, car parking and front boundary for the 1st house nearest the link on the Grove is to be repositioned yet ensuring that this link does not encroach on the driveways of houses in 18/417
- A permeability link permitted under 18/417, which would provide access to the same road as a permeability link through The Grove, is already in place, the appellants query why this link is not open for use by pedestrians / cyclists.
- The proposed pedestrian link would give rise to anti-social behaviour.
- As it would appear that the applicants are also the owners of the adjoining lands (lands associated with the development permitted under 18/417) the implication that discussion is necessary to proceed with this link would appear to be disingenuous.
- It is the intention of the residents of The Grove to plant a new line of mature trees along the western boundary. Existing trees stumps, left by the builder currently prohibit replanting.
- They note that the concerns raised regarding the unsuitability of the proposed link were also raised by the applicants in their response to the further information request.

The appellants have included photographs along with extracts from the planning file to support their grounds of appeal.

6.2. Planning Authority Response

- The planning authority's main comments on the appeal are outlined in the Kildare County Council Roads report dated 07/12/2021
- The filtered permeability link which will join the proposed development with the adjoining development (Ref:18/417) complies with the Design Manual for Urban Roads and Streets (DMURS) which promotes and recommends permeability links to improve facilities for vulnerable road users (pedestrians and cyclists)
- Condition 14 of the Grant of permission is a robust condition which will ensure that a good quality design will be carried out to include passive surveillance and which has to be approved by the planning authority
- Road safety audits required by conditions 23 and 24 of the grant of permission will ensure that the design is safe for all road users.
- They refer the Board to the planning authority's reports and the reports from various technical departments referred to during the assessment

6.3. Observations

An observation has been received Ms. Jeanne Kennedy a veterinary surgeon who has recently purchased a property in The Grove. Most of the issues raised by Ms. Kennedy are covered in the grounds of appeal, the following is also noted:

- While she had no objection to the development as submitted to the planning authority, she would not have proceeded with the purchase of the property if had she known that a filtered permeability link would be created with the adjoining residential development.
- As a veterinary surgeon she is licensed to carry controlled drugs and as such is a target for theft. She considers that the creation of a permeable link in such close proximity to her property would increase the risk of theft and create added stress.

7.0 Assessment

7.1. Introduction:

- 7.1.1. The proposed development site has a stated area of 0.08ha and is located within 'The Grove', a residential cul-de-sac comprising four detached dormer dwellings. The original grant of planning permission for The Grove (Kildare Ref No. 05/1019, permitted 2006) allowed for the construction of a total of six dwellings, only four of which were constructed within the lifetime of permission. While a subsequent grant of permission under Kildare Ref. No. 12/348, (granted in 2013) allowed for the construction of the remaining two dormer dwellings, the development was not carried out and the plot has remained vacant. This application relates to the development of this vacant plot of land for residential purposes.
- 7.1.2. The main issues in this appeal relate to the scale of the development proposed and the requirement to provide for a filtered permeability link with the adjoining development (18/417). Appropriate Assessment also needs to be considered. I am satisfied that no other substantive issues arise.
- 7.1.3. The issues are addressed under the following headings
- Scale of Development
 - The Filtered Permeability Link.
 - Appropriate Assessment

7.2. Scale of Development:

- 7.2.1. The original development proposal presented to the planning authority was for the construction of four two-storey semi-detached dwellings, equating to a density of 50units per hectare. This proposal received a number of third-party submissions from residents of 'The Grove'. The issues raised in these submissions are summarised in section 3.4 of this report, they relate mainly to scale and design of the proposed scheme.

- 7.2.2. The Planning Authority in their assessment considered that the construction of four dwelling units at a density of 50 units per hectare, was excessive for the rural settlement of Brownstone and that it would give rise to an intensification of development that would likely impact on the residential amenities of existing residents. These concerns were raised with the applicants by way of a further information request. The scheme was subsequently amended to comprise proposals for the construction of 2 no detached dormer dwellings (at a density of 25 units per hectare) in lieu of the previously proposed 4 no. two storey semi-detached dwellings. While this revised scheme was deemed to be acceptable by the planning authority, I am cognisant of the need to ensure the efficient use of zoned and serviced lands and therefore I consider that it would be reasonable to ensure that the scale of development proposed under the revised scheme is appropriate for this area.
- 7.2.3. The proposed development site is located within the 'Rural Settlement' of Brownstone. As per County Kildare's settlement hierarchy, 'Rural Settlements' are intended to develop as local centres catering for the rural catchment. Lower density developments of c15 units to the hectare are encouraged (at appropriate locations) to provide alternatives to one-off rural dwellings. On this basis and having regard to the limited size and infill nature of the proposed development site and its location within The Grove, a small residential cul-de-sac of four detached dwellings, I consider the density of development proposed within the revised scheme, at a density of 25 units per hectare, to be acceptable in this instance.
- 7.2.4. The settlement strategy for the Rural Settlement of Brownstown designates the proposed development site as part of the "Existing Settlement" area. With respect to residential infill development, the objectives for this area, require new development to preserve or improve residential amenity, being at an appropriate scale, density, and form to the existing residential character of the area. In this regard I note that the detached dormer dwellings proposed under the revised scheme are similar in design and scale to the existing dwellings within The Grove and would in my opinion fit more appropriately with the established scale, density, and form of development on the cul-de-sac than the semi-detached two-storey dwellings originally proposed.

7.2.5. In light of the above, I am satisfied that the revised scheme providing for the construction of two detached dormer dwellings represents an appropriate form and scale of development on this site, and I would recommend, in the event that the Board is of a mind to grant permission, that this revised layout is a condition of a grant.

7.3. The required filtered permeability link with the adjoining development (18/417).

7.3.1. This is a third-party appeal against the decision of Kildare County Council to grant permission for the construction of two dwellings within The Grove, Brownstone, Co. Kildare. As set out in the grounds of appeal, the main issue of contention associated with the permitted development relates to the planning authority's requirement for the provision of a filtered permeability link between the residential cul-de-sac of 'The Grove' and the adjoining residential development to the west (18/417).

7.3.2. The provision of a filtered permeability link between The Grove and the adjoining development (18/417) was raised with the applicants by way of a further information request dated 29/01/2021. In their response, the applicants, while confirming their willingness to comply with any conditions requested by the planning authority on this issue, stated their opinion that filtered permeability is not an option at this location. In setting out their reasoning for this opinion, the applicants noted the height difference of c2m, between the two residential developments and the nature and extent of works that would be required to facilitate the provision of a safe permeable link at this location. I note however that the planning authority, as set out in their response to the grounds of appeal, are satisfied that a filtered permeability link, in accordance with current DMURS standards, can, subject to appropriate design etc be facilitated at this location.

7.3.3. In principle I would support the provision of a pedestrian / cycle link between the appeal site and the adjoining residential development (18/417) as I consider that such a proposal would provide an alternative route for pedestrians and cyclists in the area and accord with the guidance set out in the Urban Design Manual (2009). However, I consider that such a link should be well designed and managed to ensure

that it would not result in unnecessary disturbance or nuisance to the residents of either development.

- 7.3.4. The provision of a filtered permeability link in accordance with the conditions attached to planning authority's grant of permission would I consider necessitate extensive works on lands within both The Grove and the adjoining development to the west (18/417), particularly having regard to the change in levels between both developments. I note that such works have not been included as part of this application and that no detailed design proposals for the link are available. As a result, it is not possible to establish the full nature and scale of the works that would be required to facilitate a permeability link at this location nor is it possible to assess the potential impact of such works.
- 7.3.5. In further consideration of this issue, I refer the Board to Section 34(4)(a) of the Planning Act which allows the planning authority to impose a condition regulating the development or use of land which adjoins, abuts or is adjacent to the land to be developed provided that such land is under the control of the applicant and provided the condition is "*expedient for the purposes of or in connection with the development authorised by the permission*". In this regard, I note that the filtered permeability link would in this instance be located on lands outside of and removed from the redline / development site boundary and, as the lands in question have not been outlined in blue on the submitted plans, it is unclear if the applicants have sufficient control over the lands to carry out the works.
- 7.3.6. In addition, while I would accept that the provision of a filtered permeability link at this location may, as a result of increased permeability / connectivity, be of benefit to future occupants of the scheme, it is not in my opinion directly related to the proposed infill development nor is it required to facilitate the development of these lands. I am therefore of the opinion that the requirement to provide a permeability link by way of condition of a grant of permission would in this instance be ultra vires.
- 7.3.7. In light of the above I consider that the requirement to provide a filtered permeability link between The Grove and the adjoining development (18/417) should be excluded from a grant of planning permission under this application.

7.4. Appropriate Assessment

7.4.1. The subject site is located within an established residential area. There are no designated sites located on or in the immediate vicinity of the site. The closest site is approximately 1.6km to the north, being the Pollardstown Fen SAC, Site Code 000396. 7.3.2.

7.4.2. Having regard to the nature and scale of development proposed and to the nature of the receiving environment, the separation distance between same and any Natura 2000 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**

I recommend that planning permission be granted for the proposed development, as amended, subject to conditions as outlined below.

9.0 **Reasons and Considerations**

9.1. Having regard to the location of the proposed development within the 'Rural Settlement' of Brownstone and the objectives for this area as set out in the Kildare County Development Plan 2017-2013 and having regard to the small scale and infill nature of the proposed development site and the prevailing pattern and character of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. 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 as amended by the
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	<p>further plans and particulars submitted on the 28th day of October 2021 and the revised public notices received on the 19th day of November 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity</p>
2.	<p>The permitted development provides for 2 number units only as detailed on site layout plan drawing number FI004 Rev001 submitted to the planning authority on the 28th day of October 2021.</p> <p>Reason: In the interest of clarity</p>
3.	<p>(a) Prior to the first occupation of 1 no. unit within the scheme, the Applicant/Developer shall submit details for the written agreement of the Planning Authority, to show compliance with the category of local demand as outlined at Policy VRS 3 Volume 2 of the Kildare County Development Plan 2017/2023</p> <p>(b) Prior to occupation of 1no unit. The Applicant/Developer shall obtain a certificate of compliance for each of the units from a qualified and indemnified Architect/Engineer/Solicitor to indicate how the dwelling complies with such category. The person issuing said certificate shall take full responsibility for ensuring compliance.</p> <p>(c) The Planning Authority may make such investigation as necessary to ensure compliance with this condition and may take appropriate action where deemed necessary.</p> <p>(d) The Planning Authority will consent to any sale of the property by a lending institution in exercise of its powers as mortgagee and likewise</p>

	<p>consent to any sale by any person deriving title from the lending institution. Approval to the sale of the property in any other circumstances will be considered on its merits by Kildare County Council.</p> <p>Reason: To ensure that the proposed development complies with the provisions of the Kildare County Development Plan 2017-2023 regarding development of Villages and Rural Settlements in the interests of proper planning and sustainable development of the area.</p>
4.	<p>The proposed dwellings shall form part of the existing residential development of The Grove and the existing house number scheme within The Grove shall be extended to include the proposed units. Prior to the commencement of development, the developer shall submit to and for the written agreement of the planning authority a site layout plan detailing the house number system in accordance with the requirements of this condition. No publicity material shall be erected / published in advance of this agreement.</p> <p>Reason: In the interest of urban legibility.</p>
5.	<p>External roof and wall finishes shall accord, in so far as practicable, with those of existing dwellings within The Grove. Details of the materials, colours and textures of all the external finishes to the proposed structure 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>
6.	<p>Boundary treatment and landscaping shall be as indicated on revised documentation received by the Planning Authority on 28th October 2021. The boundary between the existing and proposed dwellings shall be concrete block wall 1.8m-2m high or concrete post and concrete panel fencing. No wooden fencing is permitted. Boundary walls to the rear shall</p>

	<p>be a minimum 1.8m high and shall be constructed as capped, rendered concrete block or brick wall. Prior to the commencement of development details of the boundaries shall be submitted to and for the written agreement of the planning authority.</p> <p>Reason: In the interests of clarity and residential amenity</p>
7.	<p>All service cables associated with the proposed development 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>
8.	<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>
9.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works. Surface water from the site shall not be permitted to drain onto the adjoining public road.</p> <p>Reason: To ensure adequate servicing of the development, and to prevent pollution.</p>
10.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works and shall comply in all respects with the provisions of the Design Manual for Urban Roads and Streets.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>

11.	<p>All of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: in the interest of sustainable transportation.</p>
12.	<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>
13.	<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 hours of working, noise management measures, protection of the public roads and public footpaths, and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
14.	<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</p>

	<p>the local authority to apply such security or part thereof to the satisfactory 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>
15.	<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>

. Lucy Roche
 Planning Inspector

24th August 2022