



An  
Bord  
Pleanála

## Inspector's Report

### ABP-316195-23

#### Development

Construction of a two storey extension, alterations to house and construction of a house with attic dormer to rear and all associated works at end of terrace house.

#### Location

226, Malahide Road, Dublin 3 D03 X566.

#### Planning Authority

Dublin City Council North.

#### Planning Authority Reg. Ref.

WEB1013/23.

#### Applicant(s)

Brian Lynch.

#### Type of Application

Permission.

#### Planning Authority Decision

Split Decision – Grant permission for extensions and Refuse permission for house.

#### Type of Appeal

First party versus decision.

#### Appellant(s)

Brian Lynch.

#### Observer(s)

None.

**Date of Site Inspection**

10 June 2023.

**Inspector**

Stephen Rhys Thomas.

# 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 .....	7
3.3. Prescribed Bodies .....	8
3.4. Third Party Observations .....	8
4.0 Planning History.....	8
5.0 Policy Context.....	8
5.1. Development Plan.....	8
5.2. Natural Heritage Designations .....	11
5.3. EIA Screening .....	12
6.0 The Appeal .....	12
6.1. Grounds of Appeal .....	12
6.2. Planning Authority Response .....	13
7.0 Assessment .....	14
8.0 Recommendation.....	19
9.0 Reasons and Considerations.....	19
10.0 Conditions .....	19

## 1.0 Site Location and Description

- 1.1. The appeal site is located on the Malahide Road (R107) in Donnycarney approximately 3.5km north-east of Dublin City Centre. Malahide Road forms one of the main access routes into the city from the north-east. The road is quite heavily trafficked and there are bus lanes in both directions. There is a mix of road-fronting residential and commercial development in the vicinity of the appeal site. A church and its large car park is situated immediately north of the site.
- 1.2. The site contains a two storey end of terrace house with a side extension. The dwelling has a wide front garden with a pedestrian access but no off-street parking. There is a large garden to the rear that shares a boundary with a church car park to the north. The church car park is extensive and provides parking for a large mid twentieth century catholic church. The rear garden of the subject site also bounds a car parking area associated with a HSE managed care centre for old persons. There is a freestanding shed in the rear garden and the boundaries are comprised of rendered concrete block walls.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the following:
  - A new two storey dwelling house with rooftop dormer, situated in the rear garden area of the existing house.
  - Removal of the side extension to the existing house and the construction of a two storey rear and side extension, ground floor front porch extension, together with a rooftop dormer.
  - The creation of two new vehicular entrances on to the Malahide Road and three car parking spaces.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority issued a notification to **Grant Permission** for the side and rear extensions only, subject to 10 conditions, relevant conditions include:

3. This permission excludes the proposed house in the rear garden of the subject site or any subdivision of the parent site for the reason set out in the attached refusal schedule.

Reason: To clarify the scope of this permission.

5. Prior to the commencement of development the applicant shall submit revised drawings to the written agreement of the Planning Authority, for the proposed extension to the existing house which shall adhere to the following:

- a) The gable roof profile on the main roof shall be omitted
- b) The roof of the proposed side extension shall be fully hipped roof to match the roof pitch and ridge height of the existing roof of the house.
- c) One of the proposed attic level projecting dormer 'box' extension and window shall be omitted. The remaining attic level dormer extension shall be centred on the mid-point of the roof of the house and the extended roof.
- d) The dormer 'box' extension on the rear plane of the roof of the house shall not exceed 3.5 metres in width.
- e) The window in the projecting dormer 'box' extension shall not exceed 2.5 metres in width.
- f) The upper floor windows on the side elevation shall be permanently fitted with obscure glazing.
- g) The proposed porch shall be reduced to a maximum width of 3.0 metres.
- h) The attic level shall not be used for human habitation unless it complies with the current building regulations.

- i) The flat roof of the projecting rear extension shall not be used for recreational purposes and shall be accessible for maintenance purposes only.
- j) The parapet of the proposed rear extension shall be kept as low as possible.
- k) The first floor level bathroom window shall be fitted with obscure glazing.
- l) All elevations; fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof finish.
- m) The rear dormer shall not accommodate solar panels whether or not they would be exempted development under the Planning & Development Act 2000 (as amended)
- n) All internal and external works to give the effect of the above. The works agreed in writing with the Planning Authority shall be carried out in full.

Reason: In the interest of visual and residential amenity.

7. The development shall comply with the following:

- a) One shared vehicular entrance only with a maximum width of 3 metres shall be provided for the existing dwelling.
- b) The existing dwelling shall be served by a maximum of one off-street car parking space per dwelling.
- c) Footpath and kerb to be dished and new entrance provided to the requirements of the Area Engineer, Roads Maintenance Division.
- d) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
- e) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interests of satisfactory development.

And, **Refuse Permission** for the house in the rear garden, for a single reason as follows:

1. The proposed development would result in the development of an additional dwelling which would provide inadequate separation distance from the existing house and its proposed extensions, which due to proximity to third parties and parent dwelling would be overbearing and would have the potential to directly overlook neighbouring residences, and would provide an unsatisfactory level of amenity for the occupants of bedrooms served by obscure glazing and unsatisfactory access and private open space arrangements. Therefore, the proposed additional house would be contrary to Section 15.13.4 (Backland Development) of the Dublin City Development Plan 2022-28 resulting in development which would seriously injure the amenities of property in the vicinity and constitute overdevelopment of a restricted site and would be contrary to the proper planning and sustainable development of the area.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The basis of the planning authority's decision can be summarised as follows:

- Concerns expressed about the logic of placing a new two storey dwelling in the back garden, problems are envisaged, such as lack of separation distances, overlooking, poor quality private amenity space, access issues amongst other things.
- Development at 224 Malahide Road is noted and the restrictions placed on its construction as a single storey dormer design and independent entrance are noted, PA ref 3523/04 refers.
- Extensions are noted as acceptable in principle, subject to numerous amendments that reduce scale and design in almost all areas.
- Traffic and car parking concerns are raised, and reductions recommended.

The Planner's recommendation to grant permission for the extensions and refuse permission for the rear garden house are accepted and form the basis for the decision of the planning authority.

### **3.2.2. Other Technical Reports**

1. Drainage: No objections subject to conditions.
2. Traffic Planning Department: No objections subject to conditions, restrict vehicular entrance to one and only one car parking space in total.

### 3.3. **Prescribed Bodies**

None.

### 3.4. **Third Party Observations**

None.

## 4.0 **Planning History**

### 4.1. Subject site:

None.

### 4.2. Relevant Nearby Sites:

PA ref 3523/04 - permission for a two storey 3 bedroom house and vehicular access/parking at rear of 212 Malahide Road and St. John's Court. Reduced in scale by condition.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

- 5.1.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2022-2028.

The subject site is governed by zoning objective Z1 Sustainable Residential Neighbourhoods, with the objective to protect, provide and improve residential amenities.

15.13.4 Backland Housing

Backland development is generally defined as development of land that lies to the rear of an existing property or building line. Dublin City Council will allow for the provision of comprehensive backland development where the opportunity exists.

Backland housing can comprise of larger scale redevelopment with an overall site access; mews dwellings with access from a rear laneway or detached habitable dwellings to the rear of existing housing with and independent vehicular access.

Developments with street presence are generally governed by clear set out rules established by the urban order of an existing streetscape. Backland development, however, requires more innovation and reinterpretation to enable comprehensive development of these spaces.

Consideration of access and servicing and the interrelationship between overlooking, privacy, aspect and daylight / sunlight are paramount to the success and acceptability of new development in backland conditions.

Where there is potential to provide backland development at more than one site/property in a particular area, the Planning Authority will seek to encourage the amalgamation of adjoining sites/properties in order to provide for a more comprehensive backland development, this should be discussed at pre-planning stage. Piecemeal backland development with multiple vehicular access points will not be encouraged. See Appendix 5 for further details on vehicular access.

Applications for backland housing should consider the following:

- Compliance with relevant residential design standards in relation to unit size, room size, private open space etc.
- Provision of adequate separation distances to ensure privacy is maintained and overlooking is minimised.
- That safe and secure access for car parking and service and maintenance vehicles is provided.
- The scale, form and massing of the existing properties and interrelationship with the proposed backland development.
- The impacts on the either the amenity of the existing properties in terms of daylight, sunlight, visual impact etc. or on the amenity obtained with the unit itself.

- The materials and finishes proposed with regard to existing character of the area.
- A proposed backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.
- A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling and the applicant can demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.

All applications for infill developments will be assessed on a case by case basis. In certain instances, Dublin City Council may permit relaxation of some standards to promote densification and urban consolidation in specific areas. The applicant must demonstrate high quality urban design and a comprehensive understanding of the site and the specific constraints to justify the proposal.

## Ancillary Residential Accommodation - Appendix 18

### 1.2 Extensions to Rear

Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the main house.

First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the planning authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries
- Remaining rear private open space, its orientation and usability
- Degree of set-back from mutual side boundaries

- External finishes and design, which shall generally be in harmony with existing

### 1.3 Extension to Side

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable.

However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect. External finishes shall normally be in harmony with existing.

Any planning application submitted in relation to extensions, basements or new first/ upper floor level within the envelope of the existing building, shall clearly indicate on all drawings the extent of demolition/ wall removal required to facilitate the proposed development and a structural report, prepared by a competent and suitably qualified engineer, may be required to determine the integrity of walls/ structures to be retained and outline potential impacts on adjoining properties. This requirement should be ascertained at pre-planning stage. Side gable, protruding parapet walls at eaves/ gutter level of hip-roofs are not encouraged.

The proposed construction of new building structures directly onto the boundary with the public realm (including footpaths/ open space/ roads etc.), is not acceptable and it will be required that the development is set within the existing boundary on site and shall not form the boundary wall. The provision of windows (particularly at first floor level) within the side elevation of extensions adjacent to public open space will be encouraged in order to promote passive surveillance, and to break up the bulk/ extent of the side gable as viewed from the public realm.

## 5.2. Natural Heritage Designations

5.2.1. None relevant to this site.

### **5.3. EIA Screening**

- 5.3.1. Having regard to the nature and scale of the proposed development, comprising a domestic extension and rear garden house, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

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

- 6.1.1. The applicant has appealed the decision of the planning authority, in terms of conditions to amend the extension, excessive financial contribution and the refusal of the rear garden house, the grounds of appeal can be summarised as follows:

- The separation distances between the proposed dwelling, the existing and others is adequate, there will be no overlooking to other dwellings along Malahide Road.
- No overlooking will occur because of window design and placement, but obscure glazing and screening would be considered.
- The residential amenity of bedrooms will not be affected by obscure glazing because window placement is adequate, however, timber screening could be considered.
- The new house has pedestrian access and is Part M compliant, adequate vehicular access is also provided.
- Private amenity space complies with the Development Plan, the garden is south facing and silver birch trees can be planted to add screening.
- No impact upon residential amenity will result from the development, but if necessary the attic space can be scaled back in the new and existing house.
- There are other backland developments in the area, examples are listed and photographed.

- The houses in the area have undergone change and the amendments to the extensions proposed are seen as unreasonable.
- Two car parking spaces, one per house, is seen as reasonable, given the location of bus lanes and a bus stop nearby.
- The Planner's report is replicated and each element of it are rebutted by the applicant.
- The development contribution of €12,395.00 is considered to be excessive on the context of other permissions in the area.

The appeal is supported by photographs and drawings to illustrate similar developments in the area and to support the contention that backland development should be considered on its own merits.

## **6.2. Planning Authority Response**

The planning authority require the addition of a contribution condition and a naming and numbering condition should the entire development be permitted.

## 7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principal of Development
- Residential Amenity
- Development Contribution
- Other Matters
- Appropriate Assessment

### 7.2. **Principal of Development**

7.2.1. The appeal site is located on lands that are subject to zoning objective Z1 Sustainable Residential Neighbourhoods in the Dublin City Development Plan 2022-2028, the objective of which is to protect, provide and improve residential amenities. The principle of a residential extension and backland housing is permissible in the Z1 zoning, subject to compliance with the guidance provided in the Development Plan. The planning authority acknowledge the type of development that is proposed but are concerned about the form, design and scale of development. Specifically, the planning authority are against the addition of a second house and require significant amendments to the proposed extensions to the existing house. All of these matters are assessed in the following sections of my report. However, in terms of the principle of residential development at this location on Z1 zoned lands, the development plan is supportive and provides guidelines for applicants. I am satisfied that the principle of residential development is acceptable at this location.

### 7.3. **Residential Amenity**

7.3.1. The planning authority are dissatisfied with the development as proposed and have decided to refuse the additional house in the rear garden. The additions to the existing house are seen as out of scale and out of character with existing development in the area and a wide range of amendments are required by condition.

The applicant has set out their reasons why the scheme as proposed meets all of the advice provided in the development plan.

### Rear Garden House

- 7.3.2. Section 15.13.4 of the development plan sets out guiding principles with regards to backland development, but ultimately on a case by case basis some relaxations may apply. The planning authority consider that the proposed development fails to meet many of these requirements and would impact residential amenity and so permission has been refused.
- 7.3.3. The proposed rear garden house will be a two storey detached house with a south facing attic dormer window, looking back along the rear gardens of the row of houses along Malahide Road. There will be a blank first floor gable elevation facing west towards existing terraced houses. The separation distance between the new rear extension elevation of the existing dwelling on site and the proposed two storey house will be just over nine metres. The private amenity space associated with the proposed dwelling will amount to 62 sqm and will be mostly south facing, the amount of garden space devoted to the extended dwelling will amount to 78sqm. The new house will be accessed via a narrow laneway along the extended part of the existing dwelling, from the front garden of number 226.
- 7.3.4. The proposed dwelling will provide acceptable living accommodation for future occupants and the provision of private amenity space is well orientated and adequately scaled. The access route to the dwelling is circuitous but secure. The first floor bedroom windows on the southern elevation are proposed to be obscure, but this is not acceptable for occupants. The applicant has acknowledged this and proposes a timber screening, examples are illustrated and I find these to be acceptable. I see no prospect of any adverse levels of overlooking because a deflected view will result across rear gardens not rear elevations. Due to the blank first floor gable on the western side elevation of the proposed dwelling, there will be no opportunity for overlooking. The main outlook for this new house at first floor level will be across the large church car park to the north, I see no issues with this.
- 7.3.5. In terms of visual amenities, the proposed dwelling is simple in design, block like in form and with a gable roof profile. The proposed house is positioned away from the rear elevations of other dwellings and will relate in form and design with the

proposed extensions to the existing dwelling and this is acceptable. I do not envisage any adverse issues to do with overbearing appearance, given the separation distances involved to existing development and the coherent design approach employed on site. I do have concerns about the dormer extension and its large expanse of glazing, obscured or otherwise. The applicant acknowledges that this feature of the proposal can be changed or omitted. In that respect, I recommend that the attic dormer be omitted, the Velux rooflight should remain.

- 7.3.6. The planning authority have referenced a similar type of development at St John's Court to the south and how it was reduced in scale and avails of its own vehicular entrance. The applicant also highlights other backland development in the area. I have observed all of the developments mentioned and they are all different in terms of design and site characteristics. Hence the need for a case-by-case analysis of development proposals such as backland development. The appeal site is large and adjoins an even larger area of land used for car parking. I am satisfied that the amenities of neighbouring dwellings will not be impacted upon to any great degree and it is encouraging to see the beneficial use of serviced and zoned land.

#### Traffic and Car Parking

- 7.3.7. In terms of car parking and vehicular entrances, I agree with the requirement of the planning authority to restrict access to one vehicular entrance for the entire lands. The provision of one car parking space per dwelling is also adequate given the accessibility of the site to an area well served by community and commercial services, including public transport. Reduced car use supports sustainable planning, and I am satisfied that one car parking space per dwelling at this location is entirely appropriate.
- 7.3.8. I am satisfied that the proposed dwelling will not increase the potential for overlooking, will provide a good standard of accommodation and private amenity space and relate well with other development in the vicinity.

#### Proposed Two Storey Side and Rear Extension

- 7.3.9. The appeal site is an end of terrace two storey house set on a large rear and side garden, there is scope to extend. The terraced houses along this side of the Malahide Road date from the mid portion of the twentieth century, are well maintained and exude a certain character to the area. However, this portion of the

Malahide Road is not a conservation area nor is it an Architectural Conservation Area and there are no Protected Structure nearby. The planning authority have identified that the housing that aligns the Malahide Road has a certain character, particularly in terms of building finish and roofscape and have sought to amend many elements of the proposed extension development. The applicant disagrees with most of the amendments and details how the extensions are compliant with development plan advice.

- 7.3.10. The applicant has sought to comprehensively development the subject site, with a significant two storey side and rear extension, as well as a rear garden house that I have already considered as acceptable. I note the existence of a particular style of hipped roofscape in the area, but the addition of a gable end pitched roof is not so out of character. The two storey side and rear extension will not be significantly larger than the existing terrace, in fact, the roof heights are maintained and the rear extension is provided with a flat roof subservient to the main ridgeline. The provision of a box dormer is to the rear elevation and will not be noticeable from the street. Whilst its appearance could be obvious from the car park to the north, it is not an unattractive design and the zinc and render finish will appear modern and contemporary. In terms of outlook from the first floor rear extension and box dormer above, two storey maisonettes are located over 30 metres anyway to the south east, I anticipate no overlooking impacts here.
- 7.3.11. The front porch is single storey and is centralised on the front elevation and this is acceptable. The two storey rear elevation will align with the two storey rear extension built at 224 Malahide Road to the south, I see no adverse residential amenity impact on this property.
- 7.3.12. The planning authority have attached condition 5, that has 13 elements that results in amendments and controls in relation to the extension proposed. I am satisfied that most of the requirements are excessive and seek to address residential and visual amenity concerns that simply do not arise from the extension proposed. Issues like obscured glazing to bathroom windows is an unnecessary requirement as this is commonplace, the control exerted over the placement of solar panels is unnecessary, the use of the attic space is controlled by building regulations and the other changes required have been addressed in the preceding paragraphs of my report. I am satisfied that the proposed extensions to the existing dwelling house are

acceptable and proportionate, will not impact the residential amenities of existing or proposed development and will be an attractive addition to this corner site. Given, the scale of the private amenity spaces provided for each dwelling, I view them as acceptable and a benefit to residents. However, to ensure that this amenity remains I recommend the attachment of a condition to control certain forms of exempted development and thus protect amenity.

#### **7.4. Development Contribution**

7.4.1. The applicant is critical of the level of development contributions that have been applied to the development as permitted. I note that the planning authority have applied a development contribution under the terms of Dublin City Council's Section 48 Development Contribution Scheme and arrived at a sum of €12,395.00. The basis for this calculation has not been outlined in the information that I have to hand on the file. Irrespective, given that I am satisfied that the proposed development is acceptable without major amendments, a new section 48 Development Contribution calculation will be required, and an appropriately worded condition should be attached.

#### **7.5. Other Matters**

7.5.1. The planning authority require the addition a naming and numbering condition should the entire development be permitted; this is reasonable and if the Board are minded to grant permission I propose same.

#### **7.6. Appropriate Assessment.**

7.6.1. Having regard to the minor nature and scale of the development under consideration, the site location within an existing built-up area outside of any protected site, the nature of the receiving environment, the availability of public services, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

## 8.0 Recommendation

- 8.1. Having regard to the above assessment, and based on the following reasons and considerations, it is recommended that permission be granted subject to conditions.

## 9.0 Reasons and Considerations

Having regard to the pattern and character of existing development in the area, the design and scale of the development proposed, and the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in accordance with the zoning objective for the site, would not detract from the visual amenity of the area, and would not seriously injure the residential amenity of surrounding properties and would not endanger public safety or convenience by reason of traffic generation or otherwise. 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.

Reason: In the interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall be erected within the rear garden area of the existing dwelling, or

the private amenity area allocated to the proposed dwelling, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space and private amenity space is retained for the benefit of the occupants of the new dwelling.

3. a) The windows on the northern elevation of the proposed two storey extension to the existing dwelling shall be glazed with obscure glass.

b) The box dormer to the south elevation of the proposed two storey dwelling shall be omitted, the Velux rooflight shall be retained.

c) The first floor bedroom windows on the southern elevation of the proposed dwelling shall be fitted with clear glazing behind a suitably designed vertical timber louvre screen that deflects views in a south easterly direction.

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 residential and visual amenity.

4. The external finishes of the proposed extension and proposed dwelling including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

6. The 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.

Reason: In the interest of residential and visual amenity.

7. 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. Prior to the commencement of development, the developer shall enter into a water and wastewater connection agreement with Irish Water.

Reason: In the interests of public health

10. The developer shall comply with all requirements of the planning authority in relation to transport and traffic matters. Specifically, the development shall comply with the following:

- a) One shared vehicular entrance only with a maximum width of 3 metres shall be provided for the existing and proposed dwelling.
- b) The existing dwelling and proposed dwelling shall be served by a maximum of one off-street car parking space per dwelling, a total of two off street car parking spaces shall be provided, a revised layout drawing shall be submitted.
- c) The developer shall comply with the technical requirements of the planning authority.

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 amenity, sustainable transport and traffic safety

11. 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 including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

12. Proposals for a street, building and public space naming scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs and dwelling numbers, shall be provided in accordance with the agreed scheme. 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 names.

Reason: In the interest of urban legibility.

13. 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.

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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Stephen Rhys Thomas  
Planning Inspector

12 June 2023