



An
Bord
Pleanála

Inspector's Report

ABP-317769-23

Development	Construction of a new dwelling, subsequent to Ref. 17/761 and all ancillary site works
Location	No. 2 Suaimhneas, Coolbunia, Cheekpoint, Co. Waterford
Planning Authority	Waterford City & County Council
Planning Authority Reg. Ref.	22736
Applicant(s)	William & Catherine Bradley
Type of Application	Permission
Planning Authority Decision	Grant with conditions
Type of Appeal	Third Party
Appellant(s)	(1) Theresa Sullivan (2) Annette & Seamus Heffernan (3) Pat Moran (4) Thomas & Tom Sullivan
Observer(s)	Thomas & Olesea Holden
Date of Site Inspection	22 nd December 2023

Inspector

Bernard Dee

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1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.367ha is located on the southern fringes of the village of Cheekpoint, on lands located between the public road and the shoreline. Cheekpoint is a small village located on the confluence of the Rivers Barrow and Suir and offers extensive views of Waterford Harbour. There are a number of dwellings dotted along the coastline and development within Cheekpoint is concentrated at the crossroads and in the vicinity of the harbour to the north of the crossroads.
- 1.2. The appeal site is located on a partially implemented development of 3 no. dwellings (see planning history in Section 4.0 below) which slopes down to the shoreline from the public road. One house is constructed and occupied and is the first site on the hardcore track which would also provide access to the proposed dwelling which is the subject of this appeal. The access point to the site is partially completed in terms of the setback area and walls.

2.0 Proposed Development

- 2.1. It is proposed to construct a part two storey and part single storey dwelling of contemporary design (as modified by Further Information redesign), boundary treatment, landscaping and all ancillary works pursuant to Ref. 17/761, the parent permission for the site. This is one of 3 no. sites related to permission Ref. 17/761 with site No. 1 occupied by a large family home which was built on foot of permission Ref. 17/761.
- 2.2. The proposed house, following Further Information redesign, has a maximum footprint on the upper (ground floor) level of 22.75m in length and 16.9m in depth with a maximum footprint on the lower level of 29.2m in length and 13.4m in depth. The upper (ground floor) level accommodates kitchen, living, dining and ancillary spaces while the lower level accommodates 4 no. bedrooms, 4 no. bathrooms and office and storage spaces.
- 2.3. The maximum ridge height is 52.5m OD (a 2m reduction following Further Information redesign) and the GFS of the proposed dwelling is stated to be 359m² reduced following Further Information redesign from 454m² as originally proposed.

The site layout drawing indicates that 3 no. parking spaces are proposed to serve the occupants of the dwelling.

- 2.4. Mains water supply is proposed for the dwelling and connection to the mains sewer is also proposed as per permission Ref. 17/761 subject to agreement with Irish Water.

3.0 Planning Authority Decision

3.1. Decision

Permission for the proposed development was granted subject to 16 no. conditions on 18th July 2023.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points raised in the Planner's Report on file are as follows:

- The application site is located on the edge of the settlement limits of Cheekpoint village and is located in an area designated as 'Area under Strong Urban Influence' in the Development Plan 2022-2028. Having regard to the previous permission on site, ABP-302297-18 (Ref. 17/761), when the site was zoned for low residential density use and within the settlement boundary of the village (Development Plan 2011-2017) and where one house has already been built and occupied on foot of this permission, the principle of development at this site is considered acceptable.
- The report notes 6 no submissions in relation to the application relating to visual and residential amenity impacts, to the scale and design of the proposed house, potential geological implications associated with the construction of the proposed house, the absence of an NIS, the documentation of the application itself is not in accordance with validity requirements as per the Planning Regulations and surface water and waste water disposal issues. The planner notes that these issues were considered in arriving at a decision in this case.

- Further Information was sought in relation to the scale and design of the proposed house, the amount of cutaway of the slope on the site, clarity regarding boundary treatments proposed, the potential impact of the proposed house on site no. 3, waste water and surface water disposal issues and the need for landscape plan.
- The second Planner's Report expressed satisfaction with the response to Further Information which was received on 15th June 2023 and therefore recommended a grant of permission for the proposed dwelling.
- The report notes that 5 no submissions in relation to the Further Information were received and taken into account in the determination of the application. The concerns raised in the submission were largely the same as those raised regarding the initial application.

3.2.2. Other Technical Reports (Following receipt of Further Information)

- Water Services have no objection to the proposed dwelling subject to conditions.
- The Roads Section recommends that a condition requiring a construction management plan regarding the breaking/removal of any rock be attached to the permission and also a condition regulating noise emissions during the construction process.

3.2.3. Prescribed Bodies

- Irish Water has confirmed that connection to public water and sewage infrastructure is possible.

3.2.4. Observations

- Two sets of observations were made in relation to this application, 6 no. in relation to the initial application and 5 no. following the receipt of Further Information. Thereafter 4 no. of these observers have submitted Third Party appeals which are summarised in Section 6.0 below.

4.0 Planning History

4.1. On the Appeal Site

- Ref. ABP-302297-18 (17/761) - relates to an application to construct a new two storey split level family dwelling, together with permission for site development works for 4 no. serviced sites (reduced to 2 no. service sites by Further Information design revisions) including connection to public services, new entrance onto public road, boundary treatment, landscaping and all associated site works. Permission was granted by the Board on 13th December 2018 subject to 13 no. conditions.

4.2. In the Vicinity of the Appeal Site

- Ref. ABP-309789-21 (20366) - Relates to an application for permission for the construction of a split level dwelling house over three floors, new vehicular entrance and parking area, connection to services and all associated site works at a site immediately north of Ref. ABP-302297-18 (17/761). Permission was granted by the Board on 13th September 2022 subject to 9 no. conditions.

5.0 Policy and Context

5.1. Development Plan

The Waterford City & County Development Plan 2022-2028 is the statutory plan for the area within which the appeal site is situated and came into effect on 19th July 2022. Set down below are the policies and objectives contained in the Development Plan relevant to this appeal. National and Regional policies are primarily set down in Chapters 2 and 3 of the Development Plan to which I draw the Board's attention.

The appeal site is located in 'white lands' which are classed as being zoned as agricultural lands.

2.10.1 Rural Area under Strong Urban Influence - The key Development Plan objectives in this area are, on the one hand, to facilitate the housing requirements of the local rural community, subject to satisfying site suitability and technical considerations, whilst on the other hand directing urban generated development to

areas zoned and designated for housing in the adjoining villages and rural settlement nodes. We will manage sustainable growth in 'Rural Areas under Urban Influence' and facilitate the provision of single houses in the countryside based on the core considerations of economic, social or local need to live in a rural area, siting and design criteria for rural housing, and compliance with statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements in a manner consistent with NPO 19 of the NPF. Further revitalisation of these areas will be achieved by implementing other Development Plan policy objectives which will enhance development opportunities by stimulating the regeneration e.g., through the promotion and support of economic development initiatives like agri-tourism, cottage type industries and local enterprise, as referred in Chapter 4. Our primary objective and aim will be to ensure real and long-term community consolidation and growth of our smaller towns, rural settlements and settlement nodes. Therefore, we will have regard to the viability of our smaller towns and rural settlement nodes in the implementation of rural housing policy.

Rural Housing Policy Objectives – General H 24 - We will support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

Rural Area under Strong Urban Influence The key Development Plan objectives in this area are, on the one hand, to facilitate the housing requirements of the local rural community, subject to satisfying site suitability and technical considerations, whilst on the other hand directing urban generated development to areas zoned and designated for housing in the adjoining villages and settlement nodes. The Council will manage sustainable growth in designated 'Rural Areas Under Strong Urban Influence' and facilitate the provision of single houses in the countryside based on the core consideration of demonstrable economic, social or local need to live in a rural area, siting and design criteria for rural housing and compliance with statutory guidelines³ and plans, having regard to the viability of smaller towns and rural settlements.

New Homes in the Open Countryside - Policy Objectives H 28 - We will facilitate the provision of single housing in the countryside, in rural areas under urban influence, based on the core consideration of demonstrable economic, social or local need to live in a rural area, as well as general siting and design criteria⁴ as set out in this plan and in relevant statutory planning guidelines, having regard to the viability of smaller towns and rural settlements.

Housing Need

Persons with an economic need to live in the particular rural area would include those whose employment is intrinsically linked to the rural area in which they wish to build (e.g. farming, horticulture, forestry, bloodstock, fishing or other similar rural employment) and who require a dwelling to meet their own housing needs close to their place of work.

Persons with a demonstrable social need to live in a particular local rural area would include those that have lived a substantial period of their lives (7 years or more) in the local rural area and who require a dwelling to meet their own housing needs close to their families and to the communities of which they are part. A local area for the purpose of this policy is defined as an area generally within a 10km radius of the applicant's former place of residence. This rural housing policy will apply equally to those living in the local area, who require a new dwelling to meet their own housing need, as well as returning emigrants wishing to establish a permanent residence for themselves and their families in their local community.

Volume 2 of the Development Plan sets down development management standards and the following are of relevance to this case:

- 3.2 Residential Density - The Council recognises the benefits of increasing the density of residential development at appropriate locations in harmony with improved public transport systems and in accordance with various strategies and reports such as the 'National Planning Framework' (NPF), the 'Sustainable Residential Development in Urban Areas Planning Guidelines (2009)' and the 'Southern Region Spatial and Economic Strategy' (RSES). The National Planning Framework (NPF) lists 'Compact Growth' as a National Strategic Outcome aiming to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and

amenities, rather than continued sprawl and unplanned, uneconomic growth. National Policy Objective 3c of the NPF states in this regard that at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, should be within their existing built-up footprints.

- National Policy Objective 13 of the NPF advocates that planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes.
- The use of zoned and serviced land to its maximum, as positioned in the core and settlement strategies, and other relevant and associated chapters and policies of this Development Plan, will assist in achieving the objective of satisfying housing demand in a sustainable manner. In the application of densities, it is also important to recognise and reflect the function and character of the urban area (i.e. city, towns, villages and settlement nodes), as set out in the settlement hierarchy in Volume 1: Section 2.9 -Table 2.2.
- General Density Advice - In assessing applications for residential development, the Planning Authority will seek to implement the density standards set out in the ministerial guidelines 'Sustainable Residential Developments in Urban Areas' (DoEHLG 2009), the Specific Planning Policy Requirements (SPPR) of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and Circular Letter NRUP02/2021 along with those provided in the Core Strategy of this Development Plan. In all instances the following will be taken into consideration:
 - Development Management DM 05
 - Proximity to public transport bus stops.
 - Proximity to neighbourhood and district centres.
 - The extent to which the design and layout follows a coherent design brief resulting in a high-quality residential environment.
 - Compliance with qualitative and quantitative criteria.

- The extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas.
- Existing topographical, landscape or other features on the site.
- The capacity of the infrastructure, including social and community facilities, to absorb the demands created by the development.
- Where the opportunity exists to increase density and building heights in pursuit of compact, regeneration, sequential and transit-oriented development, and where it can be demonstrated that the development management standards set out in the Development Plan may in certain circumstances be counter to achieving these principles of sustainable urban development, we will consider such proposals on their own merits having regard to the relevant S28 Guidelines in place at the time.

Volume 3: Appendix 8 - Landscape and Seascape Character Assessment

The appeal site is located in a 'low sensitive' landscape categorisation.

Table A8.2. - Sensitivity Classifications - 3. Low Sensitivity - A common character type with a potential to absorb a wide range of new developments.

4.3(a) Low Sensitivity Areas - A large area of County Waterford is designated as a landscape of low sensitivity. These areas have potential to absorb a wide range of new developments subject to normal planning and development control procedures. In these areas the Planning Authority will have regard to general restrictions to development such as scenic routes, siting, road setbacks, road widening plans, parking numbers, road and sewage disposal criteria.

5.2. Natural Heritage Designations

The following natural Heritage designations are located in the vicinity of the appeal site:

- River Barrow and River Nore SAC - 002162.
- Barrow River Estuary pNHA - 000698.

5.3. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, 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. There are 4 no. Third Party appellants in this case:

- Theresa Sullivan.
- Annette & Seamus Heffernan.
- Pat Moran.
- Tomas & Tom Sullivan.

Collectively and in summary, the relevant planning grounds of appeal are as follows:

- The current application for a house at site No. 2 is based on environmental impact information that is over five years old given that the Board permission dates to 13th December 2018. This information therefore cannot be relied upon to assess the current proposed dwelling in the absence of revised and updated information.
- The policy context has changed since the parent permission was granted permission and the appeal site is now outside the Cheekpoint settlement boundary in an area under strong urban influence in terms of housing demand and is not zoned for low density residential development as was previously the case.
- No demonstration of housing need has been made by the current applicants as required by the Development Plan 2022-2028.
- A revised Appropriate Assessment Screening should have been carried out having regard to additional development in the area since Ref. ABP-302297-18 (17/761) was granted permission in December 2018 and to the dated nature of the previous screening exercise.

- See Appendix 3 of the Tomas & Tom Sullivan appeal submission which contains a report by Dúlra is Dúchas , environmental consultants, on the inadequacy of the Appropriate Assessment Screening process.
- The appellant contends that a Natura Impact Statement (NIS) should have submitted as part of the application documentation.
- Having regard to the topography of the site and its location in an elevated position at the mouth of the Nore-Barrow estuary, any development at this location will have an adverse impact on the visual amenity of the area especially a house of the large scale, height and size as that proposed in this instance.
- The design of the proposed house with its large glazed area will further increase its adverse visual impact on the area even to the point of causing visual pollution due to the glare off the windows at certain times of the day.
- Notwithstanding the 'Low Sensitive' landscape classification of the area within which the appeal site is located, the proposed house would have a detrimental impact on the character of the wider area and contribute to the erosion of the rural and coastal landscape.
- The proposed house will compromise the use of a designated recreational walk in close proximity to the site by virtue of the obtrusive nature of the proposed development and its high visibility in this sensitive coastal zone with consequent implications for impacts on local tourism growth.
- Excavation works carried out on foot of Ref. ABP-302297-18 (17/761) have caused damage to houses in the area and similar concerns apply in relation to the proposed development.
- See Appendix 5 of the Tomas & Tom Sullivan appeal submission which contains a report by Aidan Bracken, ABBD, engineering consultants, on the inadequacy of the Appropriate Assessment Screening process.
- See also Appendix 6 of the Tomas & Tom Sullivan appeal submission which contains a report by Bryan McCarthy & Associates Engineers on potential structural damage to houses in the area associated with the proposed construction project.

- A bond should be put in place if the proposed house is granted permission given the risks of damage associated with construction works and rock breaking and also with vibrations connected to construction traffic.
- The potential adverse impact on the aquifer which underlies the site has not been adequately assessed by the Planning Authority.

6.2. Applicant's Response

The applicant has responded, and in summary, makes the following points:

- There was considerable consultation with the Planning Authority during the determination of the application which included significant further information being submitted which has addressed the concerns raised by neighbouring parties.
- The site infrastructural works implemented on foot of the parent permission for the overall site effectively renders the appeal site a brownfield site for the purposes of planning assessment.

6.3. Planning Authority Response

- The Planning Authority state that the issues raised in the Third Party appeals have been addressed in the assessment carried out in the determination of the planning application and has no further comment to make.

6.4. Observations

An observation has been received from Thomas & Olesea Holden who were the applicants for the parent permission and who reside at No. 1 Suaimhneas, Coolbunia, Cheekpoint, Co. Waterford which was constructed on foot of Ref. ABP-302297-18 (17/761). In brief the Observer makes the following points:

- The site infrastructure works have been put in place to permit the development of site No. 2 (current appeal site) and site No. 3 and when house construction works are completed on these sites the hardcore access road and entrance works can be finished off as per the planning permission requirements of Ref. ABP-302297-18 (17/761).

- Based on the construction of No. 1 Suaimhneas, it is unlikely that any significant rock breaking will be required to construct No. 2 Suaimhneas, meaning that there will be minimal noise and vibration associated with the construction of the proposed house.
- Given the parent permission and conditions attached to same, it is intended to finish off the development of the three sites to a very high standard.

6.5. Further Responses

- Not applicable.

7.0 **Assessment**

- 7.1. Having examined all the application and appeal documentation on file, and having regard to relevant local and national policy and guidance, I consider that 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 main issues for assessment, therefore, are as follows:

- Principle of development.
- Visual impact.
- Construction related issues.
- Services infrastructure.
- AA Screening.

- 7.2. Several of the appeal submissions raised the issue of whether or not the application was valid with reference to the requirements set down in the Planning Regulations. As the Board does not have a role to play in the validation process, the issue of validation is not addressed in the assessment below.

7.3. Principle of Development

- 7.3.1. Ref. ABP-302297-18 (17/761) expires on 25th January 2024 (five years plus nine days per year for five years to account for the Christmas and New Year periods). However, as the basic site infrastructure works for site Nos. 2 (appeal site) and No. 3 on foot of this “parent permission” (with the exception of finishing off the entrance

and surfacing the entrance road and landscaping works), have been completed, the permission expiry date is not of critical relevance in determining this appeal.

7.3.2. Ref. 22736 is located in a serviced site where site No. 1 has a house constructed on foot of the parent permission and site No. 3 has no pending application or appeal.

The appeal site is effectively a brownfield site that can be serviced by mains infrastructure. The zoning of the site has changed from within the Cheekpoint settlement boundary in the previous Development Plan to being in white/agricultural land in the current Development Plan 2022-2028.

7.3.3. While the parent permission is no longer binding, and while the zoning status of the site has changed in the interim, having regard to the planning history of the site and of the character of the area being predominantly defined by a dispersed settlement pattern, I believe that it would be unreasonable of the Board to refuse permission for the proposed dwelling on a point of principle. I am also of the opinion that the issue of planning need should not be an issue in this instance given the planning history of the overall site and the construction work already carried out on foot of the parent permission.

7.3.4. Accordingly, in my opinion, there is no objection in principle to a residential proposal on the appeal site.

7.4. Visual impact

7.4.1. The design of the proposed house after the submission of Further Information is by any standard, of a significant scale and size in relation to “normal” houses located in semi-rural areas. The style is contemporary and has a ground and lower ground floor and will be partially constructed into the hillside by cutting through the slope and building on a concrete platform.

7.4.2. I note that the two storey east elevation (river facing façade) will have a ridge level of 10.5m while the west elevation (public road facing façade) will as a single storey facade and have a ridge level of nearly 6m. On a flat roadside site these dimensions would be considered to be excessive. However, having regard to the fall in ground level from the public road down to the shoreline, and to the partially inset design into the slope, I believe that the visual impact of the proposed house will not be as detrimental to the receiving environment as the appellants believe.

7.4.3. The appeal site is not located in a pristine undeveloped rural landscape but rather in an area characterised by a sporadic settlement pattern and the site is located in an area designated as of low sensitivity in visual terms in the Development Plan. I believe that the proposed house is located in an area capable of absorbing this structure into the landscape and the inclusion of a landscaping condition, should the Board be minded to grant permission in this instance, should further assist the absorption of the proposed house into the landscape.

7.4.4. Concerns raised in the appeal submissions regarding potential glare off the east facade of the proposed house and also light pollution at night from the lighting in the proposed house, are, in my opinion, without substance.

7.4.5. Having regard to the above, I find that there is no case to answer with respect to adverse visual impact forming the basis of a reason for refusal in this instance.

7.5. Construction Related Issues

7.5.1. Regarding the issue of vibration, rock breaking, structural damage to surrounding properties, construction traffic damage and associated issues, I have had regard to the engineering reports submitted by Tomas & Tom Sullivan, Appendix 5 of the appeal submission which contains a report by Aidan Bracken, ABBD, engineering consultants and Appendix 6 which contains a report by Bryan McCarthy & Associates Engineers.

7.5.2. The ABBD report draws attention to the likelihood of rock breaking being required during construction due to an outcrop of shale/slate near the surface of the site ground levels. The Bryan McCarthy & Associates report documents cracking in two of the three Sullivan family houses to north of the appeal site and above the coastal road separating the appeal site and the Sullivan family houses. The report documents cracking in two of the houses which may be connected to the site works and the construction of No. 1 Suaimhneas as this is the only significant construction activity that has occurred in the area in the last 16 month period. The contents of these reports have been noted in the assessment of this appeal.

7.5.3. The findings of the above referenced reports are largely speculative and I do not find them convincing in terms of constituting a reason for refusal in this case. The Planning Authority in their assessment of this application have adopted a reasonable approach and have affixed conditions to the grant of permission to address potential

issues that may arise during the construction of the proposed house – see for reference Condition Nos. 7, 8, 10, 11 and 12 – governing the management of noise, dust, vibration and rock breaking/excavation works.

7.5.4. To my mind, the Planning Authority assessment of this application has been thorough and I would concur with their positive decision in this case.

7.6. Services infrastructure

7.6.1. I note that the Drainage Section of the Council does not have any objection to the proposed dwelling following the submission of Further Information subject to the application of conditions. I also note that Irish Water has confirmed that connection to public water and sewage infrastructure is possible.

7.6.2. Having regard to this scenario, I find that there is no objection to the proposed development on infrastructure provision grounds.

7.7. AA Screening

7.7.1. Having regard to the relatively minor development proposed and the distance from the nearest European 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.

7.7.2. References to the dated nature of the AA Screening associated with the parent permission by one appellant, are to my mind, not relevant due to the AA Screening carried out by the competent authority in relation to the proposed house which is the subject of this appeal which found that AA was not required in this instance.

8.0 Recommendation

I recommend that planning permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the location of the proposed development, and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the policy requirements of the development plan, would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity and would not be prejudicial to public health nor pose a threat to the natural habitat 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 as amended by the further plans and particulars submitted on the 15 th day of June 2023, 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.	All conditions of the governing planning permission for the overall development (PD 17/761) shall be complied with in so far as they relate to the development of the overall site and unless altered by a condition of this planning permission. Reason: In the interest of clarity and the proper planning and development of the area.
3.	The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise, dust and vibration

	management measures, rock breaking/excavation methodologies and off-site disposal of construction/demolition waste. Reason: In the interests of public safety and residential amenity.
4.	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.
5.	Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity.
6.	Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Reason: In the interest of public health.
7.	Prior to commencement of development, the developer shall enter into a water connection agreement with Irish Water. Reason: In the interest of public health.
8.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <ul style="list-style-type: none"> (a) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment (b) Proposals for the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established (c) A timescale for implementation, Including details of phasing, which shall provide for the planting to be completed before the dwelling is first

	made available for occupation. Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.
9.	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 of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion 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. Reason: To ensure the satisfactory completion of the development.
10.	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.

Bernard Dee
Planning Inspector

15th January 2024