

TIPPERARY COUNTY COUNCIL

Planning Report

Planning & Development Acts 2000 as amended
Planning & Development Regulations 2001 as amended

Planning Ref.:	Pl. Ref. No. 23/60047
Applicant:	Singland Homes Ltd
Application Type:	Permission
Development Address:	Springfort Meadows, Nenagh, Co. Tipperary
Proposed Development:	18 no. 2 storey residential units, organised into 6 no. terraces, consisting of; 1 no. 4 bed dwelling, 10 no. 3 bed dwellings and 7 no. 2 bed dwellings; and all ancillary siteworks including car parking, site boundary, drainage and site services

1. FURTHER INFORMATION AND ASSESSMENT:

Further information was requested from the applicant on 13th March 2023 and a response was received on 14th March 2023. The applicant was requested to address the following:

1. The applicant is requested to provide details in relation to the quantum of public open space in the overall development. The applicant is advised of the requirement to provide 15% open space within residential development as per the Nenagh Town and Environs Development Plan 2013, as varied.
2. It is the policy of the Council to require that proposed residential developments of 5 units or more are accompanied by a detailed design statement. The applicant is requested to submit a design statement which shall present a coherent concept for the development, taking into account the existing housing development and the standards and guidance contained in Chapter 9 'Development Management and Design Standards' the Nenagh Town and Environs Development Plan 2013, as varied.

In response to Item 1 the applicant has submitted a site layout plan showing available open space of 0.7562ha. The overall estate area is 6.16ha and therefore the available public open space will be reduced to c12%. Given there are other large pockets of open space available and having regard to the Section 9.3 of the Nenagh Town and Environs Development Plan 2013, as varied I am satisfied there is adequate open space for the existing and proposed development.

In response to Item 2 the applicant has submitted a Design Statement which details zoning, policy and development management standards relevant to the proposed development. I am satisfied same is acceptable.

The applicant's response is considered complete and same addresses the concerns raised in the further information request.

Environmental Impact Assessment Screening and Appropriate Assessment Screening:
EIA and AA screening were carried out on 09/03/23 and the further information submitted has no material bearing on same.

2. INTERNAL & PRESCRIBED BODIES REFERRALS

The further information was not referred to any internal or prescribed bodies.

3. OTHER OBSERVATIONS/SUBMISSIONS

None received with respect to further information.

4. REPRESENTATIONS

None received.

5. DEVELOPMENT CONTRIBUTIONS

Development Contributions will be levied in accordance with Class 2 of the Tipperary County Council Development Contribution Scheme 2020.

Section 10

Speculative Residential Development

The contributions payable for a multi-unit residential development as part of a greenfield development on residentially zoned lands will be subject to a reduction of 30% for the 1st 30 units of a single or cumulate development from a single access point from a public road. All subsequent units will be subject to the full contribution.

This is not the 1st 30 units of this cumulative development and therefore discount does not appear to apply.

Class 2	Rate	Area sq. m	Total
18 units @sqm	€31 per sqm	1838.76sqm	€57001.56
			▼
Total contributions liable			€57,001.56

Deleted: -30% discount under Section 10 of the DCS

Deleted: €17100.47

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6. BOND

€8,500 per dwelling.

7. CONCLUSIONS/RECOMMENDATION

Having examined the plans and particulars submitted with the planning application and the foregoing matters, it is recommended that;

Permission be granted subject to the conditions as set out below;

SCHEDULE:

SCHEDULE A

It is considered that the development complies with the policies and objectives of the Nenagh Town and Environs Development Plan 2013, as varied and that the development does not have an adverse impact upon the character of the area or the amenities of adjoining properties and would therefore be in accordance with proper planning and sustainable development of the area.

SCHEDULE B

1. Save where modified by the following conditions, the development shall be carried out in accordance with the drawings and documentation submitted with the planning application on the 25/01/23 and further information submitted on 14/03/23 in response to a further information request issued on 13/03/23.

REASON: To clarify the terms of the permission and in the interest of proper planning and sustainable development.

2. Surface water only shall be discharged to the surface water sewer. Surface water run-off shall not be allowed to discharge onto the public road or to adjoining properties.

Reason: In the interests of public health, traffic safety and to protect the interests of other parties.

3. External finishes of the proposed dwellings shall be in accordance with those indicated on the submitted plans.

- a) The colour of the roof slates shall be dark in colour.
- b) Facing material shall be neutral in colour and texture and render finishes shall be painted or pigmented prior to occupation.

Reason: In the interests of visual amenity.

4. All proposed bathroom windows shall be glazed in obscure glass and opening sections shall be restricted to top hung pivot.

Reason: In the interest of privacy and amenity of occupiers of adjacent houses.

5. During development works, the developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. Any damage to or interference with the roadside drainage shall be made good without delay at the developers expense, to the satisfaction of the Local Authority.

Reason: To prevent any traffic hazard or nuisance from such material.

6. All service cables associated with the proposed development shall be run in underground ducts. In this regard, ducting shall be provided to facilitate the provision of gas, electricity, telecom, television, street lighting, broadband and other utility infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

7. (a) Site levelling for the construction of the development shall be done by excavation into the ground to a level formation over the entire floor area of the dwelling. Finished floor levels shall be as per details submitted.

(b) A Certificate of compliance with this condition shall be forwarded to the Planning Authority immediately on completion of excavation. This Certificate shall be signed a suitably competent person.

REASON: To minimise the obtrusion of the building on the landscape in the interests of the preservation of the visual amenity of the area and to ensure an adequate standard of construction practice and building technique.

8.

- a) The developer shall ensure that all demolition/construction works on site are carried out in a manner such that noise and dust emissions do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site boundary.
- b) The developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. Any

Deleted: and mitigation measures set out in the badger survey report

Deleted: and garage

damage to or interference with the roadside drainage shall be made good without delay at the developers expense, to the satisfaction of the Local Authority.

- c) No construction or demolition activity giving rise to noise audible from the nearest habitable dwelling shall be carried out on Sundays, Bank Holidays or Public Holidays.
- d) From Monday to Friday, all construction and demolition activity giving rise to noise audible from the nearest habitable dwelling shall be restricted to the hours between 8.00a.m. and 6.00p.m. (inclusive) and to the hours between 8.00a.m. and 2.00pm (inclusive) on Saturdays (excluding Bank/Public Holidays).

Reason: To prevent a noise nuisance or traffic hazard arising from the implementation of the permission.

- 9. On completion of the development, but no later than the expiry of this permission or upon substantial completion of each phase as agreed, whichever is earlier, the developer shall submit to the Planning Authority, a copy of the Safety File for the development as is required to be maintained under the Safety, Health and Welfare at Work (Construction) Regulations 2013.

This safety file is to include;

- I. A duplicate, paper set, of as constructed layout drawings of the entire development or relevant phase, detailing:
 - a. Ground level,
 - b. Individual private site folio boundaries,
 - c. Road layout,
 - d. Footpath layout,
 - e. Public lighting column locations,
 - f. Location and labeling of all utility covers,
 - g. Location and labeling of all road gullies,
 - h. Location of all water services connection points,
 - i. Location and labeling of manhole covers both storm & waste waters.
- II. A duplicate, paper set, of as constructed drawings of the storm sewer network, detailing:
 - a. Location of storm sewer manholes,
 - b. Line of storm sewers, including details of material type and diameter.
 - c. Invert level and cover level of all storm sewer manholes,
 - d. Location of all road gullies,
 - e. Associated longitudinal sections of all storm sewer lines.
 - f. Details and specifications of any above or below ground civil/mechanical or electrical infrastructure associated with the storm water network including:
 - i. Pumping stations.
 - ii. Attenuation ponds/chambers.
 - iii. Outfalls.
 - iv. Petrol Interceptors
- III. A duplicate, paper set, of as constructed drawings of the wastewater network, detailing:
 - a. Location of wastewater manholes,
 - b. Line of wastewater sewers, including details of material type and diameter.
 - c. Invert level and cover level of all wastewater manholes,
 - d. Individual service connection points and associated chamber locations.
 - e. Associated longitudinal sections of all wastewater sewer lines.
- IV. A duplicate, paper set, of as constructed drawings of the drinking water network, detailing:
 - a. Location of all service fittings including, hydrant locations, sluice valve locations, air valve locations, bulk meter location and any other fitting relevant to the operation and maintenance of the development.
 - b. Line of water mains, including details of material type and diameter.
 - c. Individual service connection points and associated chamber locations.

- V. A duplicate, paper set, of as constructed drawings of all other utility networks constructed or located within development area and their associated infrastructure, including:
- a. Public lighting network.
 - b. Telecom networks.
 - c. Gas networks.
 - d. Electricity supply networks.
 - e. Drinking water network.
 - f. Wastewater network.
- All submitted drawings and plans shall be to a scale of not less than 1:1250.
 - Sections shall have a horizontal scale of not less than 1:1250 and a vertical scale of not less than 1:100.
 - All levels shall be related to OSi - Malin Ordnance Datum (OD).
 - All drawings submitted shall also be provided in an electronic format compatible with commercially available drafting software.
- VI. In addition to the above as constructed drawings, a condition survey shall be completed on the storm network and submitted as part of the Safety File. The condition survey shall include:
- a. CCTV survey with an associated report detailing the infrastructure being surveyed and any defects observed including location and grading of defects. The labelling of the CCTV footage and report shall be consistent with the submitted as-constructed drawings for the storm water network. The CCTV footage shall be submitted in a minimum of in HD 720p quality.
 - b. Manhole condition survey with an associated manhole record card for each individual manhole chamber, detailing construction type, condition and photographic record of the manhole chamber and cover.
- Upon identification and subsequent repair of any defects observed on the initially submitted condition surveys the section of sewer where the repairs are affected shall be resurveyed and a new condition survey submitted as an ancillary report.

Reason: In the interests of the proper planning, sustainable development and future maintenance of the development.

10. Prior to the commencement of development, a detailed Construction and Environmental Management Plan (CEMP) for the construction phase of the development shall be submitted to and agreed with the Planning Authority. The CEMP shall incorporate the following,

- a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site liaison officer, construction hours and the management, transport and disposal of construction waste so as to ensure that material from the site is not spread or deposited on the public roadway and is maintained in a clean, tidy and safe condition;
- a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation and as required by conditions of this permission during the construction period.
- all construction activity giving rise to noise audible from the nearest habitable dwelling shall be restricted to the hours between 8.00a.m. and 6.00p.m. (inclusive) and to the hours between 8.00a.m. and 2.00pm (inclusive) on Saturdays (excluding Bank/Public Holidays).
- All surplus excavated material or construction wastes shall be disposed of off-site to an authorised location

A record of weekly checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of environmental protection and orderly development

11. The developer shall maximise the reuse of surplus excavated material on site. Any surplus excavated material or construction & demolition wastes to be disposed off site, shall be disposed of solely to an authorised location.

Reason: In the interest of sustainable development.

12. Prior to development commencing a payment of a financial contribution shall be paid to the Planning Authority in respect of public infrastructure and facilities benefiting development in the administrative area of Tipperary County Council that is provided, or intended to be provided, by or on behalf of the Authority in accordance with the terms of the Tipperary County Council Development Contributions Scheme 2020 made under Section 48 of the Planning and Development Act, 2000 (as amended). The amount of the development contribution under this condition is €57,001.56, which is calculated as follows:

Class 2	Rate	Area sq. m	Total
18 units @sqm	€31 per sqm	1838.76sqm	€57,001.56
			▼
Total contributions liable			€57,001.56

REASON: It is considered reasonable that a contribution be made in accordance with the Tipperary County Council Development Contributions Scheme 2015-2019 made under Section 48 of the Planning and Development Act 2000 (as amended).

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Prior to the commencement of development, a public lighting scheme shall be submitted for the written agreement of the Planning Authority.¶

Public lighting for the estate shall be designed, implemented and certified under the guidance of a qualified External Lighting Designer from the public road and throughout the development ensuring current standards are met, energy efficiency is maximized (identified on the SEAI Triple E Register) and maintenance and life costs are considered (including implications of landscaping/unintended tree falls) while meeting the requirements of the following documents (as amended).¶

SR CEN/TR 13201 (as applicable on date of grant)¶

BS5489: 2013¶

ET101: 2008 and ET211: 2003¶

ESB National Code of Practice for Customer Interface (4th Edition 2008)¶

Guidance for the Reduction of Obtrusive Light, Institution of Lighting Professionals, (2012)¶

Upon completion of the public lighting scheme, certification (inclusive of RECI Certificate) by the External Lighting Designer of the above shall be submitted to the Planning Authority together with the Schedule of Lanterns, Declaration of Performance for materials/products utilised and a Site Layout Map of the Public Lighting Scheme detailing the positions of the:¶

Lighting columns (with reference numbers)¶

Micro pillars¶

Mini pillars and supply circuits¶

Ducting locations¶

Prior to the occupation of any new units within the development or within any phase of new development, the public lights shall be switched on and maintained by the developer. The developer shall submit the first public lighting electricity bill, including the MPRN & GMPRN numbers, to the Council within 3 months of the first unit becoming occupied. Public lighting to the development shall be kept energised and maintained by the developer until taken in charge by Tipperary County Council. ¶

Reason: In the interests of planning, installation and maintenance of street lighting.¶

¶

The access road, the turning areas at cul-de-sac ends and footpaths shall be designed and constructed to the standards laid down in the Department of the Environment and Local Government's "Recommendations for Site Development Works for Housing Areas", as published in November 1998. Ramped / drop curb access points shall be provided on the footpaths at the heads of all junctions and intermediate points within the proposed development and at the pedestrian crossings, to allow a mobility impaired person access throughout the site.¶

Reason: In the interests of proper planning and sustainable development.¶

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Deleted: 39,901.09

Deleted: -30% discount under Section 10 of the DCS

Deleted: €17,100.47

Deleted: 39,901.09

13. A bond of an insurance company, financial service company, a cash deposit, or other security to secure and satisfactory completion and maintenance, of roads, footpaths, drains, car parks, public open space and other services required in connection with the development, coupled with an agreement empowering the Planning Authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development shall be submitted to the Planning Authority prior to commencement of development.

The security to be lodged shall be as follows:-

- (a) Through a tri-party bond agreement with an approved insurance company or financial services company, regulated by the Central Bank of Ireland, in the sum of €93,500 (€8,500 per unit (18 x 8,500)) or
(b) a cash sum of €153,000 (€8,500 per unit (18 x 8,500)) to be applied by the Local Authority at its absolute discretion if such services are not provided to its satisfaction.

Reason: To ensure an adequate standard of development and maintenance for the benefit of residents and until such time as the development may be taken in charge by the Local Authority.

14. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and 3 (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

15. Prior to the commencement of any dwelling unit permitted herein, the applicant or any person with an interest in the land shall enter into an agreement with the Planning Authority (such agreement must specify the number of each unit) pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all units permitted to first occupation by Individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

Reason: to restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

District Planner:



Date: 27/03/23

Senior Executive Planner:



Date: 31/03/2023