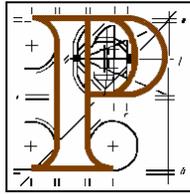


An Bord Pleanála Ref.: PL 13.239923
An Bord Pleanála



Inspector's Report

Development: Permission for the retention and completion of dwelling as per previous planning reference no. 03/2431, to include the modification of the existing roof to facilitate an existing chimney on neighbouring dwelling together with making good the wall and roof intersection between the dwelling and the neighbouring dwelling at Churchtown, Newcastle West, Co. Limerick.

Planning Application:

Planning Authority:	Limerick County Council
Planning Authority Reg. Ref.:	10/1227
Applicant:	Teresa Nash
Type of Application:	Permission
Planning Authority Decision:	Refuse Permission

Planning Appeal:

Appellant(s):	Teresa Nash
Type of Appeal(s):	First Party against refusal
Observers:	Mr. Gerard Lenihan
Date of inspection:	7 th February 2012

Inspector: A. Considine

1.0 THE SITE

- 1.1 The proposed development site is located in the town of Newcastle West, Co. Limerick, approximately 36km southwest of Limerick City. The site itself is located to the west of the built-up area of the town. The surrounding area is primarily residential and is characterised by a row of terraced houses along the eastern side of the R521. To the west of this road in the vicinity of the subject site lies the town graveyard and Castle Demesne Community Park
- 1.2 The site has a stated area of 0.1138ha and is currently occupied by a two storey house which is currently under construction. The site itself is narrow but extends extensively to the rear of the houses along this terrace. The site is in a mid terrace location and the property to the south of the site has been redeveloped in a similar manner, while the house directly to the north of the subject site is a single storey house. The terrace has a variety of house styles including both single and two storey.
- 1.3 The house has been constructed in a traditional form being a 3 bay two storey house with a fan light and side glass panels around the hardwood front door. The windows have the appearance of sash but are top opening uPVC. The roof is partially completed with black slate and there are two skylights remaining in the front elevation of the roof. The house provides for 2 bedrooms, 1 ensuite and a kitchen / diner on the ground floor, with a large living room overlooking the rear garden area, an ensuite bedroom and family bathroom at first floor level. The existing house has a stated floor area of 179.1m² and stands at approximately 9.172m in height.

2.0 PROPOSED DEVELOPMENT

- 2.1 Permission is sought for the retention and completion of dwelling as per previous planning reference no. 03/2431, to include the modification of the existing roof to facilitate an existing chimney on neighbouring dwelling together with making good the wall and roof intersection between the dwelling and the neighbouring dwelling at Churchtown, Newcastle West, Co. Limerick.

3.0 REPORTS ON PLANNING AUTHORITY FILE

- 3.1 There are no interdepartmental report from other departments within Limerick County Council relating to the subject application.
- 3.2 There is 1 no. third party objection noted on the planning file, from the adjoining landowner. The submission is summarised as follows:
- The development will seriously and negatively impact on property and enjoyment of same.
 - The building is too near to the boundary and would affect sunlight.
 - The northern gable of the building cannot be plastered as permission for access over roofspace is not being given.
 - The northern gable of the house should be moved 1.5m from the boundary wall from the back wall of his house, which would address the sunlight and privacy issue.

- The building that was demolished to build the new house was the same as the objectors house.
- 3.3 There are no external reports noted on the planning file.
- 3.4 The Planning Report on the Limerick County Council file considered the proposed development against the established character, the planning history associated with the subject site and the nature of the unauthorised works which were carried out to date. It was considered that the scale and bulk of the proposal and the location of the development alongside a single storey dwelling, the development would be unacceptable. Further information was sought regarding 2 items including that the proposals for addressing the existing overhanging projection is not acceptable and that the layout of the overall dwelling appears to be seeking to provide 2 apartments.
- 3.5 A response to the further information request was submitted to the Planning Authority seeking to address the issues raised. The response advised that the proposal drawings had been forwarded to the objector. The applicant advised that the layout of the house was due to personal preference and that it was intended to reside in the full house once completed.
- 3.6 The objector submitted a further commentary following the response to the further information request.
- 3.7 The Planning Officer dealing with the application considered the information submitted following the further information request and the Board will note that it seems that the submission acknowledged the details submitted and deemed them acceptable. However, clarification was sought on three issues as follows:
1. Proposal to extend the roof of the adjoining property – information sought relating to same.
 2. The drawings submitted did not reflect the situation on the ground. Amended drawings and a photographic survey was sought.
 3. Proposals for the removal of the rear balcony were sought.
- 3.8 A request for an extension of time issued from the applicants agents in order to deal with the issues raised by way of clarification of further information. This was duly granted by Limerick County Council.
- 3.9 In response to the clarification request, the applicant noted that the proposals regarding the roof were clearly indicated on drawings submitted on the 16th December, 2010. It is further submitted that this issue did not arise as part of the original further information request and queries compliance with Article 33(2) of the Planning & Development Regulations, 2001 as amended. The applicants agents submitted extensive evidence of trying to secure a letter of consent from the adjacent property owner without any success. A method statement for the carrying out of works was included in this response to the clarification of further information. Revised drawings in response to items 2 and 3 were also provided. The applicant noted that the height of the building

has not changed from that originally permitted under Register Ref. 03/2431. The original permitted width of the building was 9.1m and the proposed length was 12.490m. The current proposal provides for a width of 8.435m and a length of 12.420m. Therefore the existing building on the site has a smaller footprint of that permitted and accordingly, the “size and the bulk of the proposal” is the same.

- 3.10 A further submission from the objector was received by Limerick County Council following the submission of the response to the clarification request.
- 3.11 The Planning Authority sought further clarification on the further information seeking the submission of a letter of consent from the relevant landowner to carry out the proposed works.
- 3.12 The applicants agent submitted a response restating the efforts made to secure such a letter to no avail. In this regard, the applicant refers the Planning Authority to Part 8 Chapter 3 of the Land and Conveyancing Law Reform Act 2009 which gives statutory rights to a building owner to deal with any type of “Party Structure”, and also provides for a procedural framework to enable a building owner to apply to the District Court to resolve issues and to authorise works to a party structure that are reasonably necessary in the circumstances. The response goes further to identify Section 44 of the Act, which confers the statutory right on a building owner to carry out works to a Party Structure where certain circumstances arise including:

(1)(b) Carrying out development which is exempted development or development for which planning permission has been obtained or compliance with any condition attached to such permission.

In accordance with Section 44(2) of the Act, the building owner is entitled to exercise the statutory right and must make good any damage caused to the adjoining owner. Section 45 of the Act enables the building owner to apply to the District Court for an Order authorising the carrying out of specified works. In the absence of a letter of consent from the adjoining landowner, the 2009 Act will be very helpful.

- 3.13 A further submission from the objector was received by Limerick County Council, concerned that a shadow projection was not on the file, and again proposing that the northern gable of the development be relocated 1.5m from the boundary wall.
- 3.14 The Planning Officer dealing with this application acknowledged the submission by the applicant. The reporting officer recommended refusal of planning permission.

4.0 DECISION OF THE PLANNING AUTHORITY

4.1 The Planning Authority decided to refuse planning permission for the proposed development for the following reason:

1. On the basis of the submissions made in connection with the planning application, the Planning Authority is not satisfied that the application has been made by a person who has sufficient legal estate or interest in the land the subject of the application to enable the person to carry out the proposed works on the land or the approval of the person who has such sufficient legal estate or interest. In these circumstances it is considered that the Planning Authority is precluded from giving further consideration to the granting of permission for the proposed development.

5.0 RELEVANT PLANNING HISTORY

The following is the relevant planning history associated with the subject site:

03/2431: Permission granted for the demolition of existing dwelling house on the site and the construction of a two storey dwelling house.

09/815: Permission refused for the retention of dwelling as constructed to include the construction of a third storey, alterations to front and rear elevations, revision to internal layout, previous planning ref no. 03/2431, also permission to complete the remainder of the works.

09/1588: Permission sought for the retention and completion of dwelling as per previous planning ref no. 03/2431. This application was incomplete.

10/140: Permission sought for the retention and completion of dwelling as per previous planning ref no. 03/2431. This application was incomplete.

10/1112: Permission sought for the retention and completion of dwelling as per previous planning ref no. 03/2431, to include the modification of the existing roof to facilitate an existing chimney on neighbouring dwelling together with making good the wall and roof intersection between the dwelling and the neighbouring dwelling. This application was incomplete.

6.0 POLICY CONTEXT

6.1 DEVELOPMENT PLAN

The Limerick County Development Plan 2010 – 2016 is the statutory Development Plan for County Limerick. Newcastle West has a Local Area Plan, I consider it reasonable to address the relevant policies contained in the County Development Plan at this juncture, given that the County Plan has been recently adopted.

6.2 Newcastle West Local Area Plan, 2008:

The subject site is located to the north of Newcastle West town centre and is zoned Established Development, while the rear of the site is zoned for New Residential Development Future Phases. Newcastle West is identified as the

only *Level 2 Tier 2 Major Town Centre*, serving a large rural hinterland in the County Development Plan, and is located on Transportation Corridor. Chapter 5 of the Plan deals with Development Management Policies and section 5.2 deals with housing density and infill development in the town. Policy H3 is relevant in this regard, stating as follows:

Policy H3: Housing Density and Infill Development

It is the policy of the County Council to:

- a. Promote the concept of a ‘compact town’ by encouraging appropriate forms of development in suitable locations and by resisting sporadic isolated developments;*
- b. Conform with the DoEHLG ‘Sustainable Residential Development in Urban Areas’ 2008;*
- c. Encourage the development of backlands with the creation of new vehicular and pedestrian linkages while facilitating the filling of gap and infill sites along the main roads;*
- d. Encourage forms of development within the town centre that respects the existing streetscape, building forms and historic context;*
- e. Promote the redevelopment of derelict sites in Newcastle West, in a sensitive and appropriate way that reflects existing physical attributes, local character and historic urban form; and*
- f. Co-ordinate the provision of road, cycle and pedestrian networks and other services to new residential areas.*

In this regard, the proposed use is considered to accord with the requirements of the LAP in principle.

7.0 GROUNDS OF APPEAL

This is a first party appeal against the refusal of permission by Limerick County Council. The submission provides details of the background of the application and overall development, together with details of the events, meetings, with both the Planning Authority and the neighbour, and planning applications which have occurred with regard to the subject development. A summary of the correspondence with the adjoining property owner is also provided. The grounds of appeal are provided with regard to each reason for refusal and are summarised as follows:

- The height of the building has not changed from the drawings on foot of which the planning permission, register ref 03/2431, was granted. The width and length of the building has slightly decreased, reducing the footprint of the building. In this regard, the size and bulk of the proposal is the same.
- The applicant has confirmed that she regrets constructing the attic conversion on the roof, which she thought constituted exempted development. The offending structure has been removed.
- No other work, other than the removal of the unauthorised structure on the roof has taken place since the receipt of the enforcement notice of the 27th May, 2010.

- The building has reached a stage of practical completion as the walls and roof are constructed, doors and windows installed etc., in accordance with the original planning permission.
- No objections were raised by the current objector on the previous planning permitted application, nor has any correspondence been received from same in relation to the construction of the building. The applicant had no knowledge of any concerns until the objection was lodged to the former retention application, ref 09/815. The applicant has made efforts to remedy any issues raised by the objector since becoming aware of his concerns.
- The legal parameters in relation to the issue of Part 8 Chapter 3 of the Land and Conveyancing Law Reform Act 2009 are outlined. This Act give right a statutory right to a building owner to deal with any type of 'Party Structure'. It was hoped that this legislation would facilitate the Planning Authority in granting permission to complete the building.
- The unfinished building on a busy street for a period of 2½ years is unsightly.
- It is requested that the decision of the PA be rescinded to enable the applicant to complete the building as per the original planning permission.

8.0 RESPONSES

Planning Authority: The Planning Authority submitted a letter making the following observations in relation to this appeal.

- Planning permission was granted on the site under reference 03/2431.
- The applicant commenced construction on the site for an apartment development with a large converted attic area to the rear and the building encroaching over the adjoining property.
- Enforcement proceedings were taken and works ceased. Consultation with the Planning Authority followed.
- Many meetings were held with the applicant and their agent and the PA have tried to assist the applicant in ameliorating the situation. However, with the consent of the adjoining landowner or measures to remove the overhanging roof and suitable remediation to the gable adjoining the single storey house, the planning authority had no option but to refuse permission.

9.0 OBSERVERS TO APPEAL

There is 1 no. observer noted in relation to this appeal. This observation is submitted from the original objector and the issues raised reflect those as submitted to the Planning Authority in the course of their assessment of the proposed development. The observation is summarised as follows:

- Over the past years, most of the issues raised have been addressed.
- The observer continues to object to the location of the northern boundary wall and is seeking that it be set back from the site boundary by 1.5m starting from the rear of his house. This would address issues of sunlight.
- The gable cannot be plastered as no permission to access his property to do so will be given.

Enclosures with the observation include photographs.

10.0 ASSESSMENT

Having regard to the nature of the proposed development and the details submitted with the planning application and appeal documents, I conclude that issues arising for consideration should be addressed under the following headings:

1. The principle of the development & the compliance with the Local Area Plan.
2. Issues raised in the reason for refusal
3. Appropriate Assessment

10.1 The principle of the development & the compliance with the Local Area Plan.

10.1.1 The subject site is located on lands zoned for residential development. In terms of the proposed development, the site constitutes a mid-terrace location with a two storey house located to the south and a single storey house located to the north. The elevational treatment of the building reflects traditional features and proportions and respects the existing character of the street by paying attention to the established building line, proportion, heights, parapet levels and materials of surrounding buildings. In principle, I consider that the proposed development fully accords with the policies and objectives of the Newcastle West Local Area Plan.

10.1.2 The Board will note that planning permission was granted for the proposed development under 03/2431. The information provided relating to the current development, the subject of this retention application, suggests that works on the 03/2431 permission, which was granted on the 4th February, 2004 with the decision issuing on the 11th March, 2004, was commenced just before this previous planning permission expired on the 10th March, 2009. On the 24th April, 2009, an enforcement file was opened on this subject site, on the basis that no permission to extend the grant of planning permission was submitted and as such, the development is unauthorised. A warning letter was received by the applicants building contractor on the 27th May, 2009. Elements of the building which have been carried out included the conversion of the attic, rendering the rear of the building a 3 storey building, and not in accordance with the permission granted. Other elements of the building as constructed by this time included alterations to the front and rear elevations as well as the internal layout. It is clear that substantial works had been undertaken on the building by the time the warning letter was issued. Retention permission was sought for the works carried out, including the conversion of the attic, on a number of occasions, but was refused. The attic conversion has been removed at this point, and the current application seeks to retain and complete the development in general accordance with the plans as previously permitted under the 03/2431 file.

10.1.3 In the intervening period, the home owner to the south of the subject site has raised a number of concerns regarding the development. The notable issue arising from the objections and observations submitted relate to the depth of the building and the fact that a 1.5m distance between the subject building and the site boundary has not been provided. Having consulted the original application details, it would appear that there was never a 1.5m separation

proposed at the rear of the newly constructed building and the site boundary. The adjoining landowner submits that the set-back would improve the availability of sunlight to the rear of his property.

10.1.4 Setting aside the issues regarding the availability of sunlight to the rear of the adjoining property, which were considered during the initial application assessment for the site, the following amendments, which were made by the applicant during the construction phase of the building include as follows:

1. The front elevation:
 - The middle first floor window is not centred over the front door.
 - The front door now provides side and fan lights
 - Quoins are no longer proposed.
2. Rear elevation:
 - Four permitted first floor windows reduced to two and one set of patio doors and a balcony.
 - The inclusion of a second window at ground floor level.
 - The unauthorised attic conversion has been removed and the previously permitted roof has been instated.
3. Internal layout:
 - The living room area has been relocated from the ground floor to the first floor.
 - The stairs has been relocated and room configuration has altered.

10.1.2 Front Elevation:

I consider that the amendments made to the front of the building can be considered minor and acceptable.

10.1.3 Rear Elevation:

The omission of the converted attic has resulted in the overall bulk and scale of the building being in accordance with the previously permitted development for the site. I have no objections in principle to the other rear elevation amendments in terms of the reduction / inclusion of windows to that originally proposed in 2003. However, I consider that the provision of the patio doors and balcony at first floor level represent a significant departure from the previously permitted house. Should the Board be minded to grant planning permission in this instance, I consider it appropriate that these patio doors and balcony be omitted and replaced by a window, of similar size to that located on the southern end of the rear elevation. This matter can be appropriately dealt with by way of condition.

10.1.4 Internal Layout:

This element of the built structure is considered insignificant. Subject to the inclusion of a condition relating to the rear elevation and associated amendments, I am satisfied that the development will have little or no additional impact on the residential amenities of adjacent properties.

10.2 Reasons for refusal

10.2.1 The Planning Authority cited one reason for refusal regarding the subject appeal.

On the basis of the submissions made in connection with the planning application, the Planning Authority is not satisfied that the application has been made by a person who has sufficient legal estate or interest in the land the subject of the application to enable the person to carry out the proposed works on the land or the approval of the person who has such sufficient legal estate or interest. In these circumstances it is considered that the Planning Authority is precluded from giving further consideration to the granting of permission for the proposed development.

The Planning Authority has concluded that in the absence of permission from the adjoining landowner to carry out the works, this indicates that the applicant does not have the necessary legal interest *in the land the subject of the application*. I would not agree. It is clear that the applicant is the owner of the site the subject of the overall development and this matter should not be in question. The applicant is seeking permission to retain the alterations made to the building, and as discussed above in section 10.1 of the report, as well as seeking to complete the development in accordance with the previous planning permission. In order to complete the development in this regard, the applicant is proposing to carry out works to modify the roof as constructed by removing the existing overhang which was included during construction, in order to facilitate the existing chimney of the adjoining property. It is further proposed to make good the wall and roof intersection between the dwelling as constructed and the neighbouring dwelling. While I understand the concerns of the third party, I am of the opinion that the applicant is not really proposing works to any other property outside of the identified subject site. The works proposed relate to a gap which essentially exists on the applicants property and not the third party's, as evidenced in the attached photographs.

10.2.2 I am satisfied that all issues raised by the third party regarding allowing access over his lands to carry out the works to finish the gable of the house are a civil issue and not a planning matter. It may be the case that the applicant cannot carry out the said works without the third party's permission but the Board is referred to Section 34(13) of the Planning & Development Act, 2000-2011, which states that:

A person shall not be entitled solely by reason of a permission under this section to carry out any development.

10.3 Appropriate Assessment:

10.3.1 The subject site is located at a distance of approximately 5km from the nearest SPA, Stacks of Mullaghareirks, West Limerick Hills and Mount Eagle SPA, Site Code 004161, and Glenstar Woods pNHA, Site Code 001431, while being located within an established urban area. The site itself can be considered a brownfield site. However, given that a Natura 2000 site is located within 15km of the site, the Board will be required to consider the potential effects of the proposed development on the identified SPA / pNHA. The site must be subject to AA regarding its implications for the Natura 2000 site in view of the site's

conservation objectives “if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects” (EC, 2006). In other words, where doubt exists about the risk of a significant effect, an Appropriate Assessment must be carried out.

10.3.2 An Bord Pleanála, as the competent authority is responsible for obtaining the information necessary to enable an AA screening to be undertaken, and if required, obtain from the proponent, a Natura Impact Statement. Integral to the AA process, is the consideration of alternatives. This issue will be discussed further below. The purposes of AA screening will determine whether appropriate assessment is necessary by examining:

- a) *whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of the site, and*
- b) *the potential effects of a project or plan, either alone or in combination with other projects or plans, on a Natura 2000 site in view of its conservation objectives, and considering whether these effects will be significant.*

10.3.3 *AA Screening:*

1. Description of the project and local site: This is an application to retain a house as constructed. Planning permission was granted for a similar type development on this site in 2004.
2. Is the proposed development directly connected with or necessary to the nature conservation management of a Natura 2000 site: No.
3. Identification of relevant Natura 2000 sites, within 15km of the subject site:
 - Stacks of Mullaghareirks, West Limerick Hills and Mount Eagle SPA, Site Code 004161
 - Glenstar Woods pNHA, Site Code 001431
4. Key Natura 2000 site with regard to the subject site and proposed development are Stacks of Mullaghareirks, West Limerick Hills and Mount Eagle SPA, Site Code 004161 and Glenstar Woods pNHA, Site Code 001431, which are located approx. 5km from the subject site.
5. Existing expert reports, advice or guidance: No
6. The potential for significant impacts on Natura 2000 sites, having regard to potential significance indicators and to qualifying interests and conservation objectives for the site. Where doubt exists, it should be assumed that effects could be significant. In terms of the relevant Natura 2000 sites in this instance, the Conservation Objectives for Stacks of Mullaghareirks, West Limerick Hills and Mount Eagle SPA, Site Code 004161, states as follows:

Objective 1: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA.

➤ *Circus cyaneus [breeding]*

Potential significance indicators¹:

Any impact on an Annex I habitat:

- Causing interference with, reduction, erosion or fragmentation of the Natura 2000 site: No
- Causing direct or indirect damage to the physical quality of the environment (e.g. water quality and supply, soil compaction) in the Natura 2000 site: No
- Causing serious or ongoing disturbance to species or habitats for which the Natura 2000 site is selected (e.g. increased noise, illumination and human activity): No
- Causing direct or indirect damage to the size, characteristics or reproductive ability of populations on the Natura 2000 site: No
- Interfering with mitigation measures put in place for other plans or projects: No.
- Causing a cumulative impact and other impacts: No.

7. Assessment of likely effects - direct, indirect and cumulative – undertaken on the basis of available information as a desk study or field survey or primary research as necessary: Having considered the above potential significance indicators, I consider that the development, if permitted, is likely to have little or no impact on the Natura 2000 site.

8. Screening Statement with conclusions: The safeguards set out in Article 6(3) and (4) of the Habitats Directive are triggered not by certainty but by the possibility of significant effects. Thus, in line with the precautionary principle, it is unacceptable to fail to undertake an appropriate assessment on the basis that it is not certain that there are significant effects. Given the minor scale of the proposed development, together with the separation distance between same and the Natura 2000 site, it is appropriate to conclude that this project should not proceed to Stage 2 of the AA process and that an Appropriate Assessment is not necessary as there is little or no potential for significant effects to Natura 2000 sites.

¹ Using the Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities, DoEHLG, 2009 I consider that the potential significant indicators should include as presented. There is no defined list of indicators, with each site potentially generating a different list.

11.0 Conclusions and Recommendations

11.1 Conclusion:

Having regard to the extent of the works already carried out, and within the period where planning permission existed for a development at this location, together with the amendments carried out to the external façade of the previously permitted house, the subject of this retention application, and having regard to its location on Churchtown Road, I consider that the development, if permitted, would not so detract to any significant degree from the existing visual amenities of the area and streetscape, as to warrant a refusal of planning permission. I am further satisfied that the development as constructed will have little or no further impact on the existing residential amenities of adjacent properties.

With regard to the issues raised by the Planning Authority in their decision to refuse permission for the retention and completion of the development, I am satisfied that the applicant has sufficient legal interests in the overall proposed development site in order to make the planning application. The matters raised by the third party are civil issues.

11.2 Recommendation:

I recommend that planning permission be **Granted** for the proposed development for the following stated reason.

REASONS & CONSIDERATIONS

Having regard to the provisions of the current Limerick County Development Plan 2010 - 2015, the Newcastle West Local Area Plan 2008, the pattern of existing and permitted development in the vicinity, the planning history of the site and having regard to the information submitted as part of the planning application, together with the information submitted in the appeal, I am satisfied that the proposed development accords with the policy requirements of the Limerick County Development Plan 2010 – 2015 and the Newcastle West Local Area Plan 2008, will not so significantly impact upon the existing residential amenities of existing properties in the vicinity, or have such a visual impact in the urban landscape as to warrant a refusal of retention permission. As such, it is considered that the development is acceptable and would not constitute a development being visually incongruous in the area or contrary to the proper planning and sustainable development of the area.

SECOND SCHEDULE

1. The development shall be retained 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.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The first floor patio doors and balcony on the rear elevation shall be omitted and replaced by a window, of the same dimensions to that located on the southern end of the rear elevation.

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 interests of visual and residential amenity.

3. All other relevant conditions attached to previous grant of planning permission, 03/2431 refers, shall be strictly adhered to.

Reason: In the interest of development control and the proper planning and sustainable development of the area.

A. Considine
Planning Inspector
14th February 2012