



An
Bord
Pleanála

Inspector's Report PL29S.247575

Development	Erect single storey pre fab. structure linked to and use of Phoenix Ward all (excluding addiction services) relocated from The Royal City of Dublin Hospital (HSE Baggot Street Hospital).
Location	The Royal Hospital, Bloomfield Avenue, Donnybrook, Dublin 4.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3602/16
Applicant(s)	Dublin City Hospital, Donnybrook
Type of Application	Temporary Permission
Planning Authority Decision	Grant Temporary Permission
Type of Appeal	Third Party
Appellant(s)	Patrick Delaney, John Hogan, Philip Crampton.
Observer(s)	None
Date of Site Inspection	17 th of February 2017
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1.1. The Royal Hospital Donnybrook (RHD) is an inner-suburban hospital campus occupying 5.26 ha (13 ac.) of land. The site of the RHD comprises a large number of institutional buildings, some relatively historic buildings set within a walled site with its primary access via Bloomfield Avenue off the N11 Moorhampton Road, to the east of the site.
- 1.1.2. These include the existing hospital buildings, some of which date from the late eighteenth century, the former nurses home c.1902, and the relatively recent pre-fabricated Seating Clinic c.2010. The latter at the southern end of the site is adjacent to the proposed current application site. On the day of the site visit the site was marked out with tape and a cone in place to show that it would not extend onto the narrow access road, that goes around the perimeter of the site. There is a low stone wall along the southern boundary adjacent to the access road and the rear of the properties in Bushfield Place adjoin this and look towards the site.
- 1.1.3. There is another vehicular and pedestrian access to the Royal Hospital at Bushfield Terrace, to the south of the RHD site, which links to Morehampton Road and Ranelagh Road and is in daily use by staff vehicles. This access is controlled, open only for a short period of time each day. During my afternoon site visit I noted it was locked and is accessed by pedestrians via a coded entrance gate. There is a bicycle parking area close to this access. There are also on-site car parking areas, with one main parking area within the hospital grounds.
- 1.1.4. The RHD site is located within a primarily residential area surrounded by a network of residential streets on and off the Apian Way, Sallymount Avenue, Sandyford Road, Marlborough Road and Morehampton Road. Cullenswood Park to the south west links directly to Ranelagh Road (R117). It is located to the west of the RHD site. The rear of houses in Woodstock Gardens and Court can also be seen to the south of the site.

2.0 Proposed Development

- 2.1.1. This is to consist of the erection of a single storey prefabricated structure (290sq.m) linked to the ground floor Phoenix Ward and the use of the Phoenix Ward (452sq.m) all to accommodate the relocation of existing hospital services (excluding addiction services) at the Royal City of Dublin Hospital (known as HSE Baggot Street Hospital) for a period of up to five years and ancillary works.
- 2.1.2. The application form provides that the total site area is 55,812sq.m, the floor area of the buildings proposed to be retained within the site is 15,000sq.m, the floor area of new buildings proposed within this development is 290sq., and the total area of proposed development (i.e new and retained) is 742sq.m. Therefore, if permission is granted the total non-residential floor area would be 15,290sq.m.
- 2.1.3. Kiaran O'Malley & Co. Ltd, Town Planning Consultants include a letter that provides details and a rationale for the application. A Sit Layout Plan, Floor plans and Elevations have been submitted.

3.0 Planning Authority Decision

- 3.1.1. On the 19th of October 2016, Dublin City Council granted permission for the proposed development subject to 8no. conditions. These are generally relatively standard relating to infrastructural, services and construction issues. Condition no.3 is of note is that it restricts the permission to a temporary period of 5 years.

3.2. Planning Authority Reports

- 3.2.1. The Planner had regard to the locational context of the site, planning history and policy and to the submissions made including the interdepartmental reports.

They had regard to the single storey nature and usage of the proposed development and considered it to be acceptable for a temporary period of 5 years. They noted that no other works have been described and no change is proposed in the use of the vehicular entrance on Bushfield Terrace, in relation to opening times, or the use by the general public. The considered that the proposal is in line with the Z15 zoning objective and with the proper planning and development of the area.

3.3. Other Technical Reports

3.3.1. Roads and Traffic Planning Division

They did not object to the proposed development subject to recommended conditions.

3.3.2. Engineering Department – Drainage Division

They did not object to the proposed development subject to recommended conditions.

3.4. Third Party Observations

3.4.1. A number of submissions have been received from local residents. Their concerns include the following:

- Access, parking and congestion issues, particularly relative to Bushfield Terrace/Place.
- Any increase in the opening times of the Bushfield Terrace entrance would not be acceptable. It would take away from its cul-de-sac status.
- There are concerns about construction traffic.
- The access to the proposed services should be via the main entrance in Bloomfield Avenue.
- Scale and layout of the proposed prefabricated structure and proximity to local residences.
- Issues of overlooking and loss of light, privacy and residential amenity in particular for proximate residents in Bushfield Place.
- Alternative locations within the hospital grounds not proximate to residential properties should be considered.
- Concern that the drug addiction services will be transferred to the Royal Hospital in due course.

4.0 Planning History

4.1.1. There is an extensive planning history relative to the subject site. This is outlined in the Planner's Report. The following is a summary of the most recent relevant history:

- Reg.Ref.3724/15 – Permission granted subject to conditions by the Council for the construction of a new entry door with access ramp to the Wesley Wing and new service door and concrete platform dock leveller to Hospital stores.
- Reg.Ref.2703/13 – PL29S.242783 – This concerned a Split Decision by the Council and subsequently by the Board, where permission was granted subject to conditions for the change of use of the former nurse's home building, including alterations and extensions to create a Primary Care Centre, independently accessible pharmacy, additional car parking area with lighting, the demolition of a greenhouse and pavilion and new ESB substation at Cullenswood Park.
 - Condition no.2 (a) is of note i.e: *Vehicular access to the site shall be provided from Bloomfield Avenue only and the construction of a new vehicular access at Cullenswood Park together with a 5.5m wide internal access road with a footpath and four metre high lighting, and four number traffic control barriers shall be omitted.*

Permission was refused for the construction of a new vehicular and pedestrian access at Cullenswood Park together with a 5.5.m wide internal road with a footpath and 4m high lighting, and 4no. traffic control barriers and the upgrading of part of the existing fire tender access road to a 5.5m wide road with 4m high lighting, landscaping along the boundary to Woodstock Court and Bushfield Place for the following reason:

- *Having regard to the established pattern of development in the vicinity, it is considered that proposed development would result in an unacceptable level of vehicular traffic in Cullenswood Park which would seriously injure the residential amenities of property in the vicinity, would be contrary to the 'Z1' zoning objective for the area, would set an undesirable precedent for similar developments within the city, would by reason of noise, glare and general disturbance*

seriously injure the residential amenities of the area and would therefore, contrary to the proper planning and sustainable development of the area.

- Reg.Ref.3385/10 – Permission granted for the construction of a single storey seating clinic replacing the existing (but with a g.f.a of 162.85sq.m) to the eastern end of the hospital close to Bushfield Terrace hospital entrance.
- Reg.Ref.2925/10 – Permission granted for development which consisted of a new waste management facility, car parking, extending existing perimeter fire access road and ancillary site works to the north west of the site and a new 3 storey goods lift adjacent to ADU ward.

It is noted that Condition no. 3 of this permission provided in the interests of traffic safety: *Bloomfleid Avenue only shall be used for any traffic generated by the constructed phases. Bushfield Terrace shall not be used for construction traffic.*

Copies of these decisions are included in the History Appendix to this Report.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016-2022.

Section 12.5.5, Policy SN22 supports the facilitation of health care facilities such as hospitals.

Section 14.2 provides: *In addition to ensuring capacity for new homes to serve a growing population, there is also a need to ensure that there is capacity to meet the needs of existing and future residential communities, in particular for schools, hospitals and recreational activities.*

The site is located within an area zoned 'Z15'- Institutional and Community – *To protect and provide for institutional and community uses and to ensure that existing amenities are protected.*

Bushfield Place/Terrace to the south is within the area zoned 'Z1' – Sustainable Residential Neighbourhoods where the objective is – *To protect, provide and improve residential amenities.*

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A Third Party Appeal has been received from local residents Patrick Delaney, John Hogan and Philip Crampton. Their joint concerns include the following:

- They are concerned about the impact of this large prefabricated structure on the adjoining houses of Bushfield Place.
- The proposed building will be placed alongside another large prefabricated structure housing a Seating Clinic.
- It is in close proximity to the boundary with Bushfield Place (within 4.4m). Houses at nos.1,2 and 3 have no back garden and are at a lower level than the RHD.
- The scale, height and additional number of windows proposed in proximity to their living rooms would have an adverse impact on their residential amenity.
- They are concerned about implications for local residents should an access road also be incorporated to replace the existing one.
- The neighbours in Bushfield Place and Bushfield Terrace do not object to the principal of the hospital expanding, but provide that their residential amenities must be respected in any expansion plans.
- They submit that there is ample space elsewhere in the grounds for this facility that would not impact on residential amenities.
- They consider that if constructed, the proposed prefabricated building would impair the residential amenity, the privacy, and the quiet enjoyment of its adjoining neighbours in Bushfield Place.

6.2. Applicant Response

Kiaran O'Malley &Co.Ltd response on behalf of the applicant includes the following:

- They do not agree that the properties in Bushfield Place would be severely compromised by the proposed development.
- The set-back from the pre-fab unit to the boundary with no.1 Bushfield Place will be 9m, which is more than twice the 4.4m erroneously claimed in the appeal.
- They provide that these measurements indicate that the alignment of the emergency road around the hospital building was incorrectly shown. At most only the southern corner of the pre-fab structure will encroach on this road.
- They also submit that it is erroneous to provide that the building is 4.2m in height, when it is lower and a single storey structure, they provide details of this.
- They proposed windows are at ground floor level and will not impact on neighbouring property.
- They do not consider that there will be noise or light pollution from the proposed single storey pre-fab structure, that will impact adversely on the residential amenity of the properties in Bushfield Place.
- They provide that there will be no change to the alignment of the access road around the hospital, so there won't be increased noise and light pollution as claimed by the applicant. They attach photographs.
- They provide that there is not an alternative location available within the hospital, or grounds for the proposed development.
- They ask the Board to confirm the decision of the P.A and to grant temporary permission for the single storey pre-fab building.

6.3. Planning Authority Response

They provide that the reasoning on which the PA's decision was based is set out in the planning report that has already been forwarded to ABP. They ask the Board to uphold the Council's decision.

6.4. Further Responses

6.4.1. A response to the First Party submission has been received from the Third Parties; Patrick Delaney, John Hogan and Philip Crampton. They support their grounds of appeal and include photographs, architects report and chartered surveyors report.

- They remain concerned that the amenity and lifestyle and quality of these houses in Bushfield Place will be severely compromised by the proposed development.
- They enclose a Report by Gilligan Architects outlining the loss of the buffer zone, the tree loss, and the visual impact and the impact on amenity and quality of life and potential for noise and closer vehicle position.
- They also enclose a letter from a chartered valuation surveyor, who took note of the limited external space of the houses and the effect that a building in excess of 3m would have, positioned 14m closer to the existing homes.
- They consider that this new building will eliminate any meaningful buffer zone between the houses and the hospital, affecting amenity and quiet enjoyment.
- This proposal will place a domineering structure close to their boundaries.
- They are concerned that if the building is so close to the access road that it will mean that particularly larger vehicles will be closer to their boundary.
- They are also concerned about loss of trees which provide some screening in the grounds.
- They submit there is ample space for this facility elsewhere on the campus without undermining and severely impeding the residential quality of its neighbours in particular nos. 1,2,3 Bushfield Place.
- They enclose photographs showing the view of the hospital from their rear garden areas. They also attach photomontages showing views of the structure in situ. They consider that their properties will be adversely affected.

7.0 Assessment

7.1. Background

- 7.1.1. The information submitted with the application provides that it is proposed to erect a prefabricated structure on a temporary basis adjacent to the Phoenix Ward of The Royal Hospital, Donnybrook to accommodate the transfer of services (excluding addiction services) currently provided by the HSE at The Royal City of Dublin Hospital, Baggot Street. The proposed structure would be linked to the adjoining Phoenix Ward, which would also be used by the HSE.
- 7.1.2. It is stated that the HSE hospital services include physiotherapy, occupational therapy, speech and language, community nursing, psychology, dietetics, counselling and administration support. These will be provided mainly as paediatric services and to persons recovering from strokes. There will be no GP or addiction services provided as part of this proposal.
- 7.1.3. The existing use of the Phoenix Ward is as part of the overall Royal Hospital, Donnybrook. The existing hospital services in this ward are to be located elsewhere in the hospital building. As per Schedule 2, Part 4 of the Planning and Development Regulations 2001 as amended, it is in use class 9(b) as a hospital. The proposed temporary use of the Phoenix Ward for hospital services and the proposed temporary structure are also within this use class, so no change of use would occur. It is provided that it is likely the proposed development may not remain in place for five years.

7.2. Principle of Development and Planning Policy

- 7.2.1. The application proposal is for hospital related usage and is as shown on Map H of the DCDP 2016-2022 is within the Z15 – Institutional and Community zoning where the objective seeks to protect and provide for such uses. This includes in Section 14.8.14, which is relevant to the subject application, which is proximate to residential development: *In addition, development at the perimeter of the site adjacent to existing residential development shall have regard to the prevailing height of existing residential development and to standards in section 16.10 (standards for residential accommodation) in relation to aspect, natural lighting, sunlight, layout and private*

open space, and in section 14.7 in relation to the avoidance of abrupt transitions of scale between zonings.

- 7.2.2. It is also of note that Section 12.5.5 which supports the Sustainable Provision and Optimum Use of Social Infrastructure includes Policy SN22: *To facilitate the provision of hospital, local and other healthcare facilities in accordance with the requirements of the relevant healthcare authorities and to facilitate the consolidation or enhancement of these facilities within the city as an importance resource for the city, region and State.*
- 7.2.3. The First Party provide that the proposed development is compatible with the established use of the Phoenix Ward and the overall application site, which has been providing hospital services since 1792. Also that the additional prefabricated structure is a very modest temporary addition that will have minimal if any impact on the residential amenities of adjoining properties in the area.
- 7.2.4. The Third Parties, who are local residents, provide that while in principle they do not object to the hospital expanding, to meet its needs, the existing amenities/residential enjoyment of the RHD neighbours should be respected in any expansion plans. In this respect they are concerned about the height, scale and proximity of the proposed prefabricated structure to the RHD boundary and to the rear of their properties in Bushfield Place and the implications for access and traffic for residents in Bushfield Terrace/Place. They consider that the hospital site could accommodate the proposed development elsewhere within the grounds where there would be no adverse impact on adjoining residential properties.
- 7.2.5. While it is considered that in view of the land use zoning that the proposal is acceptable in principle, regard is had to the documentation submitted and to the issues raised by the Third Parties in this Assessment below.

7.3. Design and Layout and impact on adjoining properties

- 7.3.1. The proposed layout is shown on the drawings submitted. The Phoenix Ward layout is shown coloured turquoise whereas the prefabricated structure layout is coloured dark orange. The Context Plan provides that the area for the temporary change of use is c.425sq.m and there are no external alterations proposed. The proposed portacabin is 290sq.m and this new temporary floorspace is to be linked by a short

corridor to the area proposed for the change of use within the main hospital building. There is another single storey prefabricated structure which houses the existing Seating Clinic to the south. The proposed pre fab is shown slightly further forward of this structure.

- 7.3.2. The Third Parties are concerned about the large scale of the proposed temporary structure, overlooking i.e. from the number of windows proposed and in proximity to adjoining properties in Bushfield Place. These properties (in particular nos.1,2 and 3) facing are at a lower level and they consider that they will be impacted by the height and scale of the proposed development. It will mean that as shown on the scale 1:100 context plan the structure is to be sited some 14m closer to their boundaries than the existing hospital building footprint. They note that there is no provision for landscaping to screen the proposed structure, also that some trees in the grounds will be removed to facilitate the structure.
- 7.3.3. The Site Layout Plan shows that the proposed prefabricated structure is to be located to the south of and linked to the existing hospital building. This Plan shows that it is to be set back from the boundary with the properties in Bushfield Place, c.11.2m at its widest end and c. 7.2m where the site narrows, although the First Party response provides that it will be set 9m off this boundary. It is shown set back in line with the hospital footprint c.20m from the boundary with the residential to the south west.
- 7.3.4. It is noted that the dimensions given for the proposed prefabricated structure on the Context Plan for 1:200 and 1:100 do not match up, i.e it appears to be annotated incorrectly on the scale 1:200 floor plans. This has led to some confusion. As shown on the 1:100 Plan and the 1:500 Plan the structure is 10.26m in width and 28.79m in length i.e. c.295sq.m which is slightly greater than that applied for at 290sq.m. As 290sq.m is on the Public Notices and the application form, it is recommended if the Board decide to permit that it be conditioned that the temporary structure not exceed 290sq.m in GFA.
- 7.3.5. There are concerns about overlooking in that there are 8no. windows albeit at single storey level facing the rear of properties in Bushfield Place. While there will be some overspill of lights from the windows, these are at ground floor level, and sited in

excess of 7m from the rear boundary. It is also provided that the HSE's usage of the pre-fab will not generate noise levels that would not adversely affect amenity.

- 7.3.6. The ridge height of this building is shown as c.3.7m.and 3.1m to eaves. However, the Third Parties are concerned that this will appear higher as their properties which have very limited rear garden areas are at a lower level than the subject site. The First Party response provides that as these windows are at ground floor level, in this single storey structure, that notwithstanding any minor difference in levels between the RHD site and their rear gardens, they will not impact on residential amenity.

7.4. Access and Car Parking

- 7.4.1. The hospital is currently served by two vehicular access points at Bloomfield Avenue and Bushfield Terrace. It is provided in the documentation submitted with the application that there is 24 hours a day and 7 days a week unrestricted access to the entire hospital grounds at both of these locations. The current practice is that Bloomfield Avenue is the main access to and from the hospital with Bushfield Terrace only used by employees between c. 7 and 10am. It is provided that it is not proposed to affect any changes to these existing arrangements to the hospital as part of this proposed development.
- 7.4.2. There is concern that the proposed new prefabricated structure is to be located close to the gated side entrance to the hospital located on Bushfield Terrace and that this will result in greater footfall, and traffic movements to the detriment of local residents. Currently the vehicular entrance to Bushfield Terrace from Marlborough Road is narrow and restrictive for two-way traffic. The third parties consider that the current proposal and more particularly the services that will be housed therein in the future, will inevitably cause an exacerbation of current access difficulties for residents in Bushfield Terrace. They are also concerned that the gated entrance will be used as an entrance for the development and opened for longer time periods than the 7 to 10am to facilitate staff vehicular access, that are currently in operation. They consider that the point of access for users of these services should be solely via the main entrance to the RHD on Bloomfield Avenue (as per Reg.Ref.2703/13). Also that Bushfield Terrace should not be used for construction traffic in the interests of traffic safety (as per Reg.Ref.3385/10). Copies of these decisions are included in the History Appendix of this Report.

- 7.4.3. There are concerns that as shown on the drawings the siting of the proposed structure is partly over the perimeter internal access road, close to the southern boundary with houses in Bushfield Terrace/Place. This road is less than 5m from the rear of properties in Bushfield Place. They are concerned about any re-alignment of this road, which is used also for access and not just as an emergency road closer to their rear boundary. The First Party response provides that the measurements indicate that the alignment of the emergency road around the hospital building was incorrectly shown on the drawings. At most only the southern corner of the pre-fab structure will encroach onto this access road. They provide that no re-alignment of this roadway is envisaged. They enclose photographs with their response to the appeal showing that the structure will be placed on the green area. Regard is also had to the photomontages submitted by the Third Party in this respect.
- 7.4.4. In view of the issues raised and the lack of clarity relative to this issue, it is recommended that if the Board decides to permit that it be conditioned that the proposed pre-fab structure be set back a minimum of 1m from and not encroach on this internal access road. This would also be in the interests of traffic safety. It would allow for the projection to be set back more in line with the proximate pre-fabricated structure i.e. the area shown as the 'Existing Seating Clinic' and further from the properties in Bushfield Place.
- 7.4.5. Due to the temporary duration of the permission being sought, it is not proposed to increase car parking provisions within the grounds of the application site. The hospital is located in Zone 2 on Map J relative to carparking areas in the city. Therefore, the additional car parking for the proposed development (i.e 290sq.m of additional floor area) is only 3 car parking spaces (1 space per 100sq.m as per table 16.1 of the DCDP 2016-2022). Section 16.38 of the DCDP provides: *In assessing car parking requirements for hospitals, Dublin City Council will have regard to the numbers of shift staff, core hour's staff, patients and visitors.*
- 7.4.6. The Phoenix Ward is currently in hospital use, so no change in car parking requirement arises through the proposed use of that part of the hospital by the HSE's Baggot Street Hospital Services. The Council's Roads and Traffic Division consider that having regard to the temporary nature and limited size of the development that the proposed development will not result in a significant number of traffic movements or result in parking congestion on site. It was also noted on the site visit that there

was some parking availability in the existing parking areas. In view of these issues it is not expected that the scale of the proposed development will add significantly to parking demand on site.

7.5. Appropriate Assessment

- 7.5.1. The site is not located within or near to a Natura 2000 site. It is a fully serviced suburban site. The current proposal is for the development of this site and so it poses no appropriate assessment issues. Having regard to the nature and scale of the proposal, no appropriate assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. Having regard to the documentation submitted, to the submissions made including the Third Party Appeal, and to the site visit and the Assessment above it is recommended that permission be granted subject to the conditions below.

9.0 Reasons and Considerations

- 9.1.1. Having regard to the Z15 zoning objectives for the site and the pattern of land use in the vicinity, including the established nature of the Royal Hospital, Donnybrook, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity and would not be prejudicial to public health. 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 and by the further plans and particulars received by An Bord Pleanála on the 14th day of December, 2016, 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 interests of clarity.

2. This permission shall be for a temporary period of five years from the date of this order. The pre-fabricated structure and all associated works shall then be removed from site unless, prior to the end of the period, permission for their retention shall have been granted.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interest of residential amenity.

3. The proposed development shall be amended as follows:-
 - a) The proposed pre-fabricated structure shall be sited so that it does not encroach on, and is set back a minimum of 1 metre from the edge of the perimeter access road.
 - b) The structure shall not exceed 290sq.m in gross floor area.

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 road safety and residential amenity.

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

Reason: In the interest of public health.

5. Site development and building works shall be carried out only between 08.00 hours and 18.00 hours Mondays to Fridays excluding bank holidays and between 08.00 hours and 14.00 hours on Saturdays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of protecting the residential amenities of adjoining properties.

6. 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 management measures, access arrangements and off-site disposal of construction/demolition waste.

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

7. 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.

Angela Brereton
Planning Inspector

20th of February 2017