



An
Bord
Pleanála

Inspector's Report PL19.247603.

Development

Amendments to the previously permitted Primary Care Centre (Offaly County Council Reg Ref: TU14010 An Bord Pleanála Reference PL19.244684)

The provision of Primary Healthcare uses to include treatment and consulting rooms, staff facilities and related office accommodation at second floor level in the previously permitted 'future expansion area' and in 2 no proposed second floor extensions, to the north and east of this space. The development will also consist of the provision of a new stair to the north of the building; changes to the permitted central circulation space; amendments to the internal layouts and unit subdivisions; amendments to permitted elevations; building signage locations including HSE sign on

entrance and totem signage at the site entrance; brise soleil at first and second floor to main western elevation; solar panels at roof level. Provision of a single storey external store; single storey external plant rooms; external substation; bin store area and 41 no additional surface level car parking spaces and minor revisions to landscaping and boundary treatments. The overall increase in GFA is 1,184.8sq.m and the site area of the development is revised to 1.79ha.

Church View Tullamore, Co Offaly.

Location:

Planning Authority

Offaly County Council.

Planning Authority Reg. Ref.

16/276.

Applicant(s)

Tullamore Medical Centre.

Type of Application

Permission.

Planning Authority Decision

Refuse permission

Appellant(s)

Tullamore Medical Centre

Observer(s)

Department of Arts, Heritage
Regional, Rural & Gaeltacht Affairs

Date of Site Inspection

8th February 2017.

Inspector

Bríd Maxwell.

1.0 Site Location and Description

1.1. The appeal site is an irregularly shaped elongated block of land, currently under development, with a stated area of 1.79 hectares located on the north-eastern end of Church View, a cul de sac in a newly developing area approximately 700m to the east of the centre of Tullamore Town Centre. A retail park (Tullamore Shopping Centre) is located a short distance to the north west of the site. A residential estate Church Hill is located to the east. The Tullamore River runs along the northern boundary with the residential Whitehall Estate on the opposite bank. Lands adjoining the site to the west are undeveloped with an unfinished housing cluster to the west. A fine protected structure, St Catherine's Church, designed by Francis Johnston designed structure dating from 1815 is located on prominent hill to the south of the site with a former Rectory also a protected structure adjacent. Tullamore Union of parishes community centre adjoins to the south of the site and a cul de sac of single storey dwellings and Charleville National School opposite. The western section of Church view is lined with mainly detached single and two storey buildings on generous sites.

2.0 Proposed Development

2.1 The proposal as set out in the public notices seeks permission for amendments to the previously permitted Primary Care Centre (Offaly County Council Reg Ref TU14010, An Bord Pleanála Reference PL19.244684). The development involves the provision of Primary Healthcare uses to include treatment and consulting rooms, staff facilities and related office accommodation at second floor level in the previously permitted 'future expansion area' and in 2 no proposed second floor extensions, to the north and east of this space. The development will also include the provision of a new stair to the north of the building; changes to the permitted central circulation space; amendments to the internal layouts and unit sub-divisions; amendments to permitted elevations; building signage locations including HSE sign on entrance and totem signage at the site entrance; brise soleil at first and second

floor to main western elevation; solar panels at roof level. Provision of a single storey external store; single storey external plant rooms; external substation; bin store area and 41 no additional surface level car parking spaces and minor revisions to landscaping and boundary treatments. The overall increase in GFA is 1,184.8sq.m and the site area of the development is enlarged to 1.79ha.

- 2.2 The cover documentation submitted with the application outlines that the permission granted under PL19.244684 provided for a 'future expansion area' to take account of the lack of clarity concerning the intended use of this space at the time of making the application and the envisaged difficulties in subsequently providing additional floor space to an occupied scheme. As the use of this area has now been confirmed, the current application seeks permission to provide additional primary care centre uses within the permitted future expansion area and in 2 no proposed second floor extensions with an overall increase in gross floor area of 1,184.8 sq.m. The proposed uses include treatment and consulting rooms, staff facilities and related office accommodation. A number of minor additional amendments are proposed including a new stair to the north of the building, changes to the permitted central circulation space, amendments to internal layouts and unit sub-divisions amendments to the permitted elevations, building signage bris soleil and solar panels. A single storey external store single storey external plant rooms external substation, bin store area 41 no additional surface level car parking spaces and minor revisions to landscaping and boundary treatment.

3.0 Planning Authority Decision

3.1. Decision

By order dated 25th October 2016 Offaly County Council issued notification of its decision to refuse permission on the following grounds:

“The proposed amendments to the permitted design and building finish are unacceptable, and it is considered that the proposed development would result in an austere building of little architectural merit. In the context of the proximity of the site to some of Tullamore’s most prominent protected structures, including St Catherine’s Church and former Rectory, it is considered that the applicant has failed to demonstrate that the proposed development will not negatively detract from the character of the existing built environment. Consequently the proposed development will materially contravene policy TTEP 12-05 of the Tullamore Town and Environs Development Plan 2010.”

3.2. Planning Authority Reports

3.2.1 Environment and Water Services report indicates no objection subject to conditions.

3.2.2 Roads and Infrastructure Section report recommends seeking further information to include a detailed determination in respect adequacy of proposed car parking. The original application concluded that the R420 roundabout would be operating close to capacity 15 years after completion. The amendment to the development suggests that traffic would increase by 26.7%. (Increase of the gross floor area) The impact of this increase on the Ratio of Flow to Capacity of the roundabout should be assessed.

3.2.3 Chief Fire Officer’s report indicates no objection subject applicant obtaining revised fire safety certificate and disability certificate.

3.2.4 Assistant Planner’s report asserts that the revised design does little to soften or ameliorate the visual impact of the additional floorspace at third floor level. The recessed element at ground floor level in the permitted design had been a considered aspect on the original design. The most striking element of the permitted development is the judicious use of fenestration and brise soleil, arranged in a repetitive vertical pattern on second and third floors. This includes floor to ceiling glazing at third floor level, horizontal brise soleil are used at the southern elevation to demarcate the pharmacy entrance. The proposal results in a functional and formal

healthcare building that the original architects sought to avoid. In the interest of austerity, the applicants have chosen a simpler design. “Simple and austere can be successful. In this case it is not.” “The proposed changes to the permitted development would have an overwhelmingly detrimental impact on the architectural success of the permitted development. Furthermore, permitting a large institutional type building with little architectural merit on this prominent site in close proximity to one of Tullamore’s landmark protected structures would set an undesirable precedent.” Refusal recommended.

3.2.5 Senior Executive Planner’s report asserts that the proposed design is a considerable diminution of the permitted development. The permitted development would result in a general upgrading of the urban environment and have positive social externalities on the neighbourhood. The proposed change in design would have none of these positive impacts and it is considered that it will result in a degradation of the urban environment surrounding the site. Refusal also recommended on grounds of potential traffic hazard arising from increased traffic flow and inadequate parking. (As outlined above the decision of the Council contained the reason in respect of the design only)

3.3 Other Technical Reports

3.3.1 Environmental Health Department of the HSE no objection subject to the developer taking necessary measures to bait and control rodents and other vermin during the proposed renovations and afterwards.

3.3.2 Irish Water – No objection subject to connection agreement.

3.3.3 Office of Public Works submission notes the location of the site on lands that benefit from the River Brosna Catchment Drainage Scheme and risk of flooding. Request that a 10m wide strip be retained adjacent to the channel to permit access for maintenance.

4.0 Planning History

4.1. **PL19.244684 TU 14010** By order dated 25th August 2015 An Bord Pleanála confirmed permission granted by Offaly County Council for the construction of a primary care centre which includes 3 general practitioner surgeries, own door café and pharmacy, primary healthcare and staff facilities. Permission was granted subject to 9 conditions including:

- Condition 3. A lockable pedestrian gate to be provided between Churchill Housing Estate and the proposed development.
- Condition 4. Provision of a minimum of 20 secured covered bicycle spaces.
- Condition 8. Landscaping scheme to be agreed.
- Condition 9. Development Contribution in accordance with the Development Contribution Scheme.

5.0 Policy Context

5.1 Development Plan

5.1.1 The Tullamore Town and Environs Development Plan 2010-2015 extended to 2020 refers. The site is zoned "Residential" in the Development Plan. At 15.3.6 it is stated in relation to the Residential Zoning Objective:

5.1.2 The use 'residential' shall be taken to primarily include the use of land for domestic dwellings (including meeting housing needs of members of the travelling community), religious and civic residences. It may also provide for a range of other uses particularly those that have the potential to foster, enhance and supplement the development of new residential communities for example, schools, crèches, local convenience store, doctor/dental surgeries, open space (formal and informal) etc.

5.1.3 The zoning matrix Table 15.1 provides that health centre / clinic is open for consideration under the residential zoning objective.

6.0 Natural Heritage Designations

- Charleville Wood SAC (Site Code 00571) an area of oak forest within an estate is located approximately 2.3km to the west of the appeal site and is hydrologically connected via the Tullamore River.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1 The Appeal by Tom Philips and Associates on behalf of the First Party. Grounds of appeal are summarised as follows:

- The current application should be assessed in relation to the proposed amendments on their merits.
- Offaly County Council's assessment suggests a desire to revert to some form of re-assessment of the principle of the permitted Primary Care Centre which is wholly inappropriate.
- The application seeks to extend and consolidate a permitted use currently under construction on the site. The proposal is entirely in keeping with the extant permission pertaining to the site and in accordance with the proper planning and sustainable development of the area.
- Architectural report pertaining to the previous application should not be used as a means of design guide for assessment against any future design amendments that may be proposed by the applicant or different architects.
- Key assessment criteria for the proposed amendments is whether such amendments contravene any relevant aspect of the development plan or give rise to any significant adverse planning impacts.

- Stated reason or refusal seeks to ground the decision as materially contravening policy TTEP of the Tullamore Town and Environs Development Plan 2010. This is not valid.
- Reason for refusal is apparently based on the contention that the proposed amendments will negatively detract from the character of the existing built environment and more particularly protected structures St Catherine's Church and the former Rectory. This line of reasoning and assessment is wholly unconvincing and unsubstantiated.
- The question of setting a precedent through the current application does not arise given the nature of the application and the previous permission for a large institutional building.
- The amendments are simply not of sufficient scale to give rise to significant adverse impacts on the existing character of the protected structures, particularly as they are proposed to occur in the overall footprint and envelope of a previously permitted 3 storey building.
- Statement that the proposal would result in degraded urban environment is absurd and unsubstantiated.
- It would seem reasonable that the applicant should have been afforded the opportunity to demonstrate that the design will not detract from the character of the area by way of a further information request.
- Amended design proposals are provided for the Board's consideration that incorporate a number of revisions. These constitute elevational changes and are not material in the context of the overall assessment of the development and can be readily incorporated by way of condition.
- Vertical Louvres. The development reverts back to vertical fin louvres along the first floor projection in a range of colours as per original permission. The articulation of

the curtain wall glazing to the pharmacy is revised and re-introduces horizontal louvres. Full height curtain walling on the second floor (front elevation) reinstated.

- Material finishes. Square windows and brick panelling to rear elevation. Reintroduction of several small insets that had been removed. Single storey projection on south elevation changed from angular extension to a semi-circular one. Curtain walling increased on rear elevation stair core, Footprint of second floor reduced to ensure that the building line is contiguous with the previous permission. Line of first floor cantilever is extended to accommodate a floating pharmacy sign as per original design. First floor cantilever is re-introduced to rear. Revised window arrangement to pharmacy. Curtain walling increased at the new stair core.
- Noting concerns expressed in the report of Senior Executive Planner in respect of traffic issues. It is extraordinary that recommendations for further information considered by the Planning Officer as valid reasons for refusal.
- The overall increase in traffic volumes on the R420 roundabout when comparing the 2016 do nothing to the overall redevelopment is +19.9% in the weekday AM peak hour and +9.9% in the weekday PM peak hour. The overall increase in traffic volumes at the R420 roundabout when comparing the 2016 previously permitted scheme to the overall development is +3.6% in the weekday AM peak and +1.9% in the weekday PM peak.
- Original Traffic Impact Assessment overestimated the likely traffic as it used TRICS database and did not take account for the operating dynamics of a primary care centre an appointment based system rather than first come first served approach.
- Development will result in a minor increase during the network's peak hours over that which was permitted using a conservative approach to traffic generation.
- As regards car parking provision the quantum required to serve the proposed amendments are adequate to accommodate peak demands of the development and are in accordance with the approach to assessment of car parking.

7.2. Planning Authority Response

7.2.1 The submission repeats the position as set out in the report of the senior executive planner on file. The proposed design is a considerable diminution of the previous proposal. The permitted development would result in general upgrading of the urban environment and have positive social externalities on the neighbourhood. The proposed change in design would have none of these positive impacts and will result in a degradation of the urban environment surrounding the site. A high standard of design is a necessary requirement of such an imposing structure situated in a residential area. Offaly County Council respectfully requests An Bord Pleanála to support the decision to refuse. In the event that the Board considered granting permission for the proposed development Offaly County Council recommend a condition retaining the existing design of the elevations as granted under PL19.244684 whilst permitting the proposed changes of use and an appropriately redesigned extension.

7.2.2 Comment of roads section on appeal submission asserts that the submission has not clarified the two main traffic issues that arise from the proposal in terms of the impact on the R420 roundabout. The original application indicated that the roundabout would be operating close to capacity after 15 years. Concern is expressed that the junction will not be able to operate safely with the proposed additional traffic. Further information is required to determine if the proposed car parking is sufficient for the proposed expansion.

7.3 Observer

7.3.1 Submission from the Development Applications Unit of the Department of Arts Heritage, Regional and Rural Affairs is summarised as follows:

- Notes that early editions of the Ordnance survey clarify that the designed landscape of church and rectory did not extend beyond the present boundaries.

- The Board is referred to the objective criteria in terms of assessing the effect of the proposal on the character of the protected structures, including relative height, comparative massing of proposed and existing, distance between proposed and existing and centrality to view towards or from the protected structures. Intervisibility between prominent sites in the wider landscape should be investigated to ensure that important visual connections are not lost.
- Note disparity between the footprint of the Rectory and Church and that of the proposed development however the footprint and most of the overall mass are already permitted.
- Central question relates to distance relative to the proposed change in height. The degree of visual impact from the church will be somewhat different to that from the rectory given the extra distance and as the church is more elevated.
- The permitted development will give rise to a degree of visual change. In mitigation it does not seem as if there are established views between the church and other local landmarks or viewing points to the north east that would be interrupted. It would appear that the 'east' window of the church - in reality facing north east – would suffer any loss of light due to distance and elevation of the church. The approach to the church will not require passing the development as the church is entered from the south.
- On the other hand, the proposed development is much larger and will be more prominent than any other past development nearby except the large retail outlet to the northwest. Although it will be sited on a side road and will not loom large in views along the main approaches from the church on the R420, on approach close to the church from both north and south the development may become a large-scale backdrop to the church. Also there are view southwards from the Daingean Road (playing fields of the Sacred Heart School) to the church, which is a prominent distant landmark. From this direction it is possible that the development will dominate

the church. However any material difference in these views between the permitted and proposed extension is not clear.

- While there will be a degree of visual impact from the proposed development on St Catherine's Church and the former Rectory, the appropriateness of the specific second floor extension cannot be judged without submission of a visual impact assessment to fully describe the massing of the permitted and sought profile on both structures from near at hand and further afield at selected viewpoints.

8.0 **Assessment**

8.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The principle of development was assessed and deemed appropriate by the Board in the previous appeal (PL19.244684) and therefore it is not necessary to revisit this issue. In this regard, I would tend to concur with the first party that focus of the matter in question in the appeal relates to the amendments to the proposed development. The issues can be dealt with under the following headings:

- Design and Impact on the Character of the Area and on the Protected Structures in the Vicinity
- Traffic and Parking
- Other Matters

8.2 **Design and Impact on the Character of the area.**

8.2.1 In terms of design rationale, the First Party asserts that the amendments proposed are sympathetic to the original design aesthetic. The original design concept featured lengths of horizontal glazing and a cantilevered overhang to the front elevation. It is now proposed to continue the horizontal concept to the rear of the building with various windows regrouped and consolidated. The brise soleil has been redesigned and colour coded insulated infill panels are proposed within the strip glazing to

conceal partitions and to differentiate each zone to visitors. The second floor extension is proposed as a continuation of the permitted design with a white render wall finish. The building geometry has been simplified by way of removal of ground floor recesses and projections. The new stair core has been designed to match the pharmacy to the south end of the building.

8.2.2 The Council's reason for refusal states “

“The proposed amendments to the permitted design and building finish are unacceptable, and it is considered that the proposed development would result in an austere building of little architectural merit. In the context of the proximity of the site to some of Tullamore’s most prominent protected structures, including St Catherine’s Church and former Rectory, it is considered that the applicant has failed to demonstrate that the proposed development will not negatively detract from the character of the existing built environment. Consequently, the proposed development will materially contravene policy TTEP 12-05 of the Tullamore Town and Environs Development Plan 2010.”

8.2.3 The basis for the refusal reason is elucidated within the Assistant Planner and Senior Executive Planner’s reports which express resolute dissatisfaction with the design revisions proposed. I note in particular reference to the squaring off of the permitted floor plan and a lament for the loss of the recessed and projecting elements. The pattern of fenestration, brise soleil are further noted in terms of the stated design objective (within the architectural report accompanying the original application) to avoid an unduly functional and formal building. It is asserted that the amendments result in a large institutional building of little architectural merit. The Senior Executive Planner further asserts that the proposed development will result in a degradation of the urban environment surrounding the site.

8.2.4 As regards the impact on the character of the existing built environment, I consider that given the scale and context of the site, there is significant scope for the site to define its own character. Having duly considered the design amendments proposed I

consider that the conclusions drawn in the Local authority reports regarding negative impact are unfounded. Whilst the amendments proposed including the simplified geometry result in a more stringent structure, I cannot agree that the amendments are such as to diminish the positive social externalities on the local neighbourhood, nor that the development proposed will result in a degradation of the urban environment. Whilst clearly the local authority planners were enamoured with the permitted design, there is no justification for design inflexibility. I note that the first party has suggested some elevational amendments and changes to external finishes within the grounds of appeal including the reintroduction of vertical louvres and more extensive curtain walling. In my view the revisions outlined can successfully mitigate the rigidity of the revised structure and these matters can be addressed by way of condition.

8.2.5 As regards the potential for negative impact on the adjacent protected structures, I would tend to concur with the previous reporting Inspector that the appeal site and the proposed structure is not high or prominent enough and is sufficiently distant from the adjacent protected structures (in the order of 175m from St Catherine's Church) to mitigate any potential for significant negative impact. I would agree with the First Party that the assertion of a negative impact on the setting or character of the adjacent protected structures arising from the specific second storey extension is entirely unsubstantiated. I note the submission to the Board from the Development Applications Unit of the Department of Art, Heritage, Regional Rural and Gaeltacht affairs which recommends the completion of a visual impact assessment and submission of contextual sections including the rectory in particular to fully describe the massing of the permitted and sought profile on both adjacent protected structures from near at hand and further afield at selected viewpoints. Having considered the context of the site and the detail of the proposed development I consider that having regard to the scale, footprint and mass of the permitted development, the visual change arising from the proposed amendments is not material in terms of the impact on the character of the adjacent protected structures.

8.2.6 In view of the foregoing I consider that the proposed development is acceptable in terms of its design and the development would not have a significant negative impact on the character and amenities of the area or on the character and setting of the adjacent protected structures.

8.3 Traffic and Parking.

8.3.1 The application is accompanied by a Traffic Parking Assessment undertaken by Stephen Reid Consulting. It is asserted that the overall increase in traffic volumes on the R420 arising from the proposed amendments is +3.6% in weekday AM peak hour and +1.9% (in the weekday PM peak hour) The first party further notes that the estimate of trips generated as per TIA submitted within the original scheme represents a theoretical worst case scenario as it is based on TRICS database and does not take account of the appointment based model operated in HSE primary care centres which would eliminate the “first come first serve rush”.

8.3.2 The report asserts that a pro rata assessment of the development (based on the increase in gross floor area) confirms the need for a further 41 car parking spaces and 5 no cycle spaces. Accordingly, the proposed layout provides for a total of 197 car parking spaces and 25 cycle spaces. As regards pedestrian movement and permeability I note that the layout provides for lockable pedestrian gate between the Churchill Housing Estate and the proposed development as required by condition of the parent permission.

8.3.3 I note the concerns raised within the report of the Council’s roads section regarding the future capacity of the R420 roundabout. However, on balance, based on the appeal submissions, I consider that the first party has provided sufficient detail to outline that the proposal will not give rise to a significant increase in traffic over the permitted development and in this regard I consider that the proposed development is acceptable from a traffic and transport perspective.

8.4 Other Matters.

8.4.1 The reason for refusal refers to the development being a material contravention of the development plan, in connection with policy TTEP 12-05 which is as follows: *“It is the Council’s policy to encourage contemporary development within Tullamore where the applicant can successfully demonstrate that any proposal will not negatively detract from the character of the existing built environment.”* I note the nature and detail of the proposed development as an amendment to a permitted development, I consider that the Council’s grounds for material contravention are entirely unsubstantiated.

8.4.2 As regard flood risk this is addressed in a report by Keyes Consulting wherein it is outlined that flood risk measures outlined in parent permission will be adopted across the site.

8.4.3 On the issue of Appropriate Assessment the screening report prepared by Doherty Environmental examined the potential for significant effect on the integrity of the Charleville Wood Special Area of Conservation (SAC) which was deemed be the only European site within the zone of impact of the proposal. The conservation objectives for this site are for the protection of Old Sessile Oak Woods and the Desmoulin’s Whorl Snail *Vertigo Moulinsiana*. The Old oak woodlands qualifying habitat are terrestrial in nature and not sensitive to perturbations in water quality of the Tullamore River. Therefore, potential for significant negative effects can be screened out. As regards Desmoulin’s Whorl Snail *Vertigo Moulinsiana*, these are associated with extensive wetland habitats, away from the bank of the Tullamore River. Using the precautionary principle, the screening exercise identified potential impacts to the water quality of the Tullamore River as the key factor that could result in negative impacts to the SAC. However, it is asserted that design measures to manage surface water from the site and implementation of 50m buffer to the river

were deemed sufficient to ensure no likely effects on water quality of the river. The conclusion was that the proposed development would have no significant negative effect on the special conservation interest of the SAC.

8.4.4 It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have significant effect on The Charleville Wood SAC or any other European site in view of the sites' conservation objectives and a stage 2 appropriate assessment and submission of an NIS is not therefore required,

9.0 Recommendation

9.1. I recommend that planning permission should be granted, subject to conditions as set out below.

REASONS AND CONSIDERATIONS

Having regard to the planning history on the site and to the nature of the proposed development, it is considered that the proposed development would not seriously injure the character and amenities of the area, would not represent a traffic hazard and would otherwise be in accordance with the proper planning and sustainable development of the area.

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 received by An Bord Pleanála on the 21st November 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 interest of clarity.

2. The proposed development shall be amended in accordance with details as submitted in revised plans submitted to An Bord Pleanála on 21st November 2016. Revised drawings and specifications detailing the amendments shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

3. The period during which the development hereby permitted may be carried out shall expire on the 24th day of August, 2020.

Reason: To coincide with the expiry date of the parent permission granted planning register reference number PL19.244684 TU14010.

4. Other than any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with all of the terms and conditions of the parent permission granted under planning register reference numbers PL19.244684 TU14010, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

5. Details of the materials, colours and textures of all external finishes to the propose development and its boundaries shall be submitted to and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

6. Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the

building. Such shutters shall be of open lattice type and shall not be used for any form of advertising unless authorised by a further grant of planning permission.

Reason: In the interest to visual amenity.

7. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. These details shall include sample products to be used on the external elevations where relevant.

Reason: In the interest of the visual amenities of the area

8. 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. The contribution shall be paid within two months of the date of this order, 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Bríd Maxwell
Planning Inspector

1st March 2017