



An
Bord
Pleanála

Inspector's Report
PL29N.248233

Development	Extension of student accommodation with recreational area, transformer room, bicycle parking and all ancillary works
Location	123-128 Summerhill, Dublin 1
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	4174/16
Applicant(s)	Summer Road Developments Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellants	The Mountjoy Sq Society
Date of Site Inspection	13 th July 2017
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The site of 0.2745sq.m. is a former vacant derelict warehouse site located in the North Inner City east of Gardiner Street and south of Mountjoy Square. It is rectangular in shape with a 36m frontage onto Summerhill road - a dual carriage way and also has a similar frontage onto Gardiner Lane (a 'mews' lane which links Mountjoy Sq. to Gardiner St). To the west of the site there is terraced housing along Langrishe Place which backs onto the site. A large CIE bus depot adjoins the site to the east. An apartment development is on the opposite side of Gardiner Lane. There is a northerly rise in the site with the Summerhill end being a few metres lower than the Gardiner Lane end.
- 1.2. There is an extant permission for a nine storey high development on site which is largely under way with a structural framework for the lower levels in place.

2.0 Proposed Development

- 2.1. The proposed development involves alterations to an approved 374 bed scheme for student accommodation. It is proposed to increase the floor area from 10,475 sq.m. to 11,231 sq.m. and reorganise some space to provide an additional 33 bed spaces in addition to utilities/services. In more precise terms:
- 2.2. At Ground level, the proposed elements include:
 - Reorganising the reception office area but retaining the same floor area.
 - Marginal increase in retail/café from 113 to 122 sq.m.
 - Reduced common room from 135 to 90sq.m due to relating of gym which is reduced from 55 to 40 sq.m.
 - Relocating and enlarging kitchen from 12.5 to 31.6 sq.m
 - Omitting movie room
 - The loss of communal spaces and revised layout will incorporate an **additional 8 bedrooms** (8 bed spaces in the east elevation) but **reduction in one bedroom/bed space** in the rear section. The kitchen in this area is marginally reduced from 20 to 16 sq.m.
 - A 29 sq.m. transformer room is proposed in the courtyard garden and a detailed landscape plan illustrates proposals for this area.
 - The building envelope at this level is substantially the same with the exception of the rear building line which is now stepped and also set back from the east and west boundaries.
- 2.3. At First floor the proposed elements include:

Inserting a floor into the double height lobby is proposed to provide a 141 sq.m. common room

 - Similarly, the double height spaces in the central core are proposed to be filled in **with an additional floor of bedrooms 26** and kitchens

- 2.4. At Second, third, fourth, fifth, sixth and seventh floor levels the proposal remains the same
- 2.5. In the eight floor the internal layout is revised to provide a movie room in place of some four study desks and a small portion of the common room
- 2.6. At roof level the proposed remains the same. A roof terrace remains
- 2.7. Elevations remain the same with an area of 808 sq.m.
- 2.8. The section (cc) indicate a large seventh floor level in internal north facing elevation (unit extends westwards into the site)
- 2.9. Landscape plans show a detailed planting layout for both ground and roof levels. Both incorporate hard and soft landscaping with seating.
- 2.10. Photomontages illustrate the internal layout design concept and facilities.
- 2.11. The proposal also involves modification of the layout to the rear student with a reduction of 30 bicycle spaces internally but overall an increase (claried in FI)

3.0 Planning Authority Decision

3.1 Decision

Grant permission subject to 32 conditions. This decision was pursuant to further information submitted.

- Condition 2 requires €54976.08 (section 48)
- Condition 3 requires drawings of fire escapee and plant room vent fronting Gardiner Lane and accurate landscape drawings.
- Condition 4 **reduces bed spaces by 8 to 399**
 - The ground floor cluster of 8 beds and ancillary facility to be omitted
 - Gym may return to common rom use and movie room at eight floor may be returned to common room use
 - A schedule of areas shall be submitted and bedroom shall comply with development pan standards.
- Condition 5 clarifies duration of permission as same parent permission 3366/15
- Conditions7 refers to material and finishes
- Condition 8 and 9, 10, 14, 15 controls shopfront/window signage and such like
- Condition 11, 12 regulates use and hours
- Condition 13 and 17 restricts noise at a distance of 2m from frontage and though attenuation
- requires detailed archaeological monitoring and recording
- Condition 16 and 20 restricts roof level use hours and development
- Condition 22 relate to footpath tree removal among other standard requirement and also requires a project traffic management plan for

demolition excavation construction and location of plant and machine compound

- Condition 24 and 25 refers to drainage and water
- Condition 26 refers to archaeology
- Condition 27 refer to EHO requirements including detailed noise limits and food safety.
- Condition 28 refer to waste management and restrict telecommunication apparatus

3.2. Planning Authority Reports

3.2.1. Further information

- Applicant requested to address
 - Potential for over concentration.
 - Deficient bicycle parking
 - Height of the transformer room
 - Revised plans reinstating former element of previously approved scheme
 - Schedule of spaces
 - Clarity on internal area of café.

3.2.2. Other Technical Reports

- Drainage: no objection subject to conditions
- Archaeology notes location in context a zone or archaeological constraint for recorded monument DU018-020. no objection subject to conditions
- Roads and Traffic: No report on the subject case but the previous report on the development proposed to be varied stated no objection subject to conditions.
- Environmental Health Officer: No report on the subject case but the previous report on the development proposed to be varied stated no objection subject to conditions.

3.3. Prescribed Bodies

- Irish Water: No objection subject to conditions

3.4. Conclusion of planning authority

- The development in principle accords with the student accommodation policy in section 5.5.12 subject to detail issues concerning residential amenity in surrounding area and within the development

- The student population is noted at not being more than 30% of the local population taking account of the permissions for such development. The proposal is accepted as complying with policy 16.10.7. Concern is expressed at the concentration of 374 (permitted in 3366/15) plus the subject 33 (4174/16 and nearby 491 plus 115(3611/14, 2052/17) which is 1013 bed spaces in the vicinity as a consequence of this permission. It is accepted that this will be diluted in the wider area encompassing other electoral division.
- Plot ratio is increased to 4.1 as a consequence of proposed intensification – this is up from 3.8 as approved in the initial student scheme and also up from 3.4 as permitted for the original hotel scheme. This is well above indicative plot ratio of 2.5-3 for Z5 area
- Height is acknowledged as being within the building envelope of extant permission. The development ranges in height from 19m to 24.7 on the Summerhill frontage and while this is higher than the 24m max for residential it is well below the 28m maxi for commercial.
- Very little changes in terms of scale and massing
- No appreciable design difference to have a visual impact. The issue of overlooking Gardiner Lane was previously addressed.
- Increase in café acceptable
- Concern about the elevation onto Gardiner Lane preference for dual aspect of communal uses onto Lane and courtyard. Particular concern is expressed at the clarity of the drawing addressing inconsistency between landscape drawing and ground level.
- Cycle parking has been addressed having regard to the distance form third level institutions and the need for a full complement of spaces. The total of 350 spaces is adequate.
- In context of further elevations submitted in showing elevation in context of adjacent buildings on Langrishe Place, the transformer room will have a negligible impact.
- The re-instatement of 11 inclusively designed room is acceptable
- 3D visualisation showing kitchen and communal spaces are acceptable
- Only 1.4sq.m, of internal amenity space per student. In this context the supplanted common area with bedrooms as proposed is not considered acceptable at ground level and accordingly 8 of these bedrooms are recommended for omission by condition.
- A schedule of internal areas was not provided and is required as a condition of permission.
- Student accommodation shall comply with the development standards and confirmation of this is required for clarity
- It is noted that the café has increased in area due to revision in layout and while not entirely desirable the reduction in the lobby area is off-set by the reinsertion of the common spaces.

- Over all the proposal will contribute to the rejuvenation of the area and will have a positive impact in terms of sustainable density level, redevelopment of vacant under-utilised site and reinstatement of a streetscape element onto Summerhill as well as creating a cohesive frontage with surveillance on Gardiner Lane.
- It is considered with professional on-site management and implementation of the student management plan that the proposed development should not give rise to significant noise or anti-social behaviour
- Concern about the level of amenity for future occupants
- A marginal deficiency in amenity space is noted – 4.8 sq.m. per bed space below the 5-8sq.m. although it is accepted that the scheme provides a relatively reasonable level of indoor amenity space. The 8th floor movie room is inappropriate site where there is good daylight as opposed to a ground floor location.

4.0 **Planning History**

- Planning authority ref. 3366/15 (report/order in pouch at back of file) refers to a grant of permission for modification to an extant permission (Planning authority ref 4521/08 – PL29N.233115) to facilitate change of use from a hotel to student accommodation 374 bed spaces.
- In the case of PL29N.233115 (file attached) the Board required revised drawing and the height was restricted to 6 storeys over basement on Gardiner Lane and 8 storey on Summerhill. Condition 2 required that windows on the Gardiner Lane elevation to be provided with louvred screens to prevent direct overlooking of apartments on the opposite side of the lane and details to be submitted for agreement
- PL2N.211198 / 2807/04 (file attached) refers to refusal of mixed use scheme on grounds of height scale and layout proximity to boundaries and considered over-development resulting in poor quality environment for future residents.
- 3243/07 refers to a withdrawn application for mixed use blocks up to 10 storeys.
- 1399/01 refers to permission for demolition of industrial buildings and construction of 8000 sq.m. offices 8 apartment and car parking,
- 3947/07 refers to permission on 42 and 43 Gardiner Lane for demolition of warehousing and construction of 4 storey over basement offices and 6 apartments
- 3611/14 (29N.245025) refers to permission for 491 bed spaces on former IDA land on opposite side of road. height active frontage and aspect of units were the base for further information. Variations were sought for ancillary works in the cases of 2204/16 and 2488/16 and 3345/16 but apartment number at 88 and bed spaces at 491 remain unchanged as a consequence of these permission

5.0 Policy Context

5.1. Development Plan

5.1.1. The site is within an area where it is an objective 'to sustain life within the city centre through intensive mixed-use development and the strategy is to provide a dynamic mix of uses which interact with each other, creates a sense of community and which sustains the vitality of the inner city both day and night. (Z5)

5.1.2. **Student Accommodation:** In recognition of the complexity of housing demand and provision it is policy: To support the provision of high-quality, professionally managed and purpose-built third-level student accommodation on campuses or in appropriate locations close to the main campus, in the inner city or adjacent to high-quality public transport corridors and cycle routes, in a manner which respects the residential amenity and character of the surrounding area, in order to support the knowledge economy. Proposals for student accommodation shall comply with the 'Guidelines for Student Accommodation' contained in the development standards. **(QH31)**

CEE19: (I) To promote Dublin as an International Education Centre/Student City, as set out in national policy, and to support and encourage provision of necessary infrastructure such as colleges (including English Language Colleges) and high-quality, custom-built and professionally-managed student housing.

(ii) To recognise that there is a need for significant extra high-quality, professionally managed student accommodation developments in the city; and to facilitate the high-quality provision of such facilities.

CEE23:(I) To promote the Digital Hub and its environs as a destination of choice for digital enterprises, as an innovation district, with the necessary vibrant mix of uses including employment space, leisure, housing (including student accommodation), shopping, visitor accommodation and other uses.

in Grangegorman where a substantial student population will now be a stimulus for retail provision in the area. Both developments are important to reversing population decline and consequent retail shrinkage that has occurred over previous decades.

Height is influenced by the immediate context in addition to standard height

Car parking is not required but a Mobility management plan is required. bicycle parking must be at a rate of 1 space per 2 bed spaces.

5.1.3. Density

QH8: To promote the sustainable development of vacant or under-utilised infill sites and to

favourably consider higher density proposals which respect the design of the surrounding

development and the character of the area.

Safety guidance is set out in Appendix 14

The Indicative Plot Ratio standards are set out below:

Zone Indicative Plot Ratio

Z1 & Z2 Outer City 0.5 – 2.0

Z1 & Z2 Inner City 0.5 – 2.0

Z3 Neighbourhood Centres 1.5 – 2.0

Z4 District Centres 2.0

Z5 City Centre 2.5 – 3.0

Z6 Outer – Employment 2.0 – 3.0

Z6 Inner – Employment 2.0 – 3.0

5.2. Natural Heritage Designations

5.2.1. The following European sites are within close proximity to the development site.

- North Dublin Bay SAC (000206)
- South Dublin Bay SAC (000210)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Bull Island SPA (004006)

6.0 Grounds of Appeal

6.1. Mountjoy Square Society

- The grounds of objection submitted to the Planning authority have not been adequately addressed
- Gardiner Lane frontage is the main concern and there are insufficient details showing the elevational treatment notwithstanding the extent of variations and the request for further information (by way of drawing in this regard)
- The drawings submitted do not comply with Article 23 of 600
- The laneway demands more sensitive treatment having regard to its nature and character being 10m in width occupied by mews lane development, the provisions of the development plan for mews lanes and the inclusion of Gardiner lane within the Architectural Conservation Area of Mountjoy Square.
- There is particular concern at the height of the development in this context at 19m and the canyon effect and also by reason of overlooking which was previously addressed by louvres. The proposal reintroduces overlooking from living accommodation north east.
- Concern about trees in roof top and further overshadowing – it is submitted these were not shown in architect's drawings with original scheme.

- The omission of the double height will detract from the façade.

7.0 Responses

7.1. Planning Authority Response

- No further comments

7.2. First Party Response

- The proposal is for minor amendments within a permitted building envelope. It is clarified that no modifications are proposed onto the approved overall parapet height or massing of the building as it presents to Gardiner Lane and drawings are submitted illustrating fenestration, emergency access and associated safety railing and ventilation well to the plant room and associated safety railing.
- The revised first floor elevation on to the lane omits the boundary fence and reverts to the permitted landscaping layout which provides a narrow strip to delineate the boundary of the site. Drawings U182-P102A omits boundary fence shown in U182-P102. Landscape plan Drawing 07A also further clarifies boundary treatment
- The development for additional bedspaces complies with the recent Action Plan for Housing and Homelessness and responds to student accommodation market identified in Higher Education Authority report on such facilities

8.0 Assessment

8.1. Issues

- 8.1.1. This appeal is against the decision to grant permission for modifications to an extant permission for student accommodation which would result in an increase by 33 bed spaces to 409 spaces although this was reduced to 399 as a condition of permission. The grounds of appeal are principally aimed at the impact of the proposed development on Gardiner Lane. There is also the wider issue of the principle of extending the development and overall standard of development
- 8.1.2. The issues in this context are
- Principle of development
 - Scale of development - Standard of student accommodation
 - Impact of neighbouring development. Interface with Gardiner Lane

- Lack of clarity of final scheme in view of Quality of drawings and nature of conditions.

8.2. Principle of development

- 8.2.1. The applicant makes the case that the proposal is for the purposes of primarily rationalising the internal layout to make the most efficient use of this central located site. Modifications also arise from providing utilities and fire escape and plant room ventilation. Consolidating a student accommodation facility accords in principal with the strategic aims of development plan both in terms of providing for student accommodation as part its housing strategy (which accords with national policy) and promotion of the city as educational centre and also in terms of consolidating and enlivening the city centre.
- 8.2.2. Overconcentration however may be an issue. In the application to the planning authority in the parent permission (ref. 3366/15) a comprehensive social-economic impact of the student accommodation was submitted to determine the levels of concentrations. In its analysis the planning authority concluded that 374 bed spaces did not constitute over-concentration when taken in conjunction with other such facilities. The proposal for 33 bed spaces amounts to a 0.4% increase in student population in managed student accommodation facilities. This is in the context where the combined facilities are projected to amount to 24% in the Mountjoy electoral divisions A and B. This percentage is likely to be smaller in the context of population growth in the 2016 for the area. Accordingly, I consider an additional 33 bed spaces to be acceptable in principle in so far as it is strategically in the right location.
- 8.2.3. The issue accordingly is one of design detail in terms of both the quality of accommodation for the future occupant and also in terms of its impacts on surrounding development.

8.3. Scale of development - Standard of student accommodation

- 8.3.1. The proposed development will not result in a change to height massing or overall design as the additional areas will be provided within the envelope of the building permitted. By re-ordering the internal layout and inserting an additional floor level into double height space the development can accommodate four additional clusters of bedroom accommodation. This has also been done by reducing some of the amenity space. While externally the difference may be visually imperceptible the intensification will push the plot ratio to over 4.1 which is in excess of upper limits for the zone and city generally and does I consider raise a question of intensity on the site.
- 8.3.2. While the daylight analysis demonstrates adequate levels of natural light the planning authority identifies a number of inconsistencies with the revised layout in terms of maximising daylight. For example, relocation of the movie theatre from a ground floor area to the top floor where natural light would be plentiful. In the

planning authority's decision 8 bed spaces have been omitted with a revised addit of only 25 bed spaces. The applicant does not dispute this

- 8.3.3. Amenity space is clarified in further information in appendix B of the applicant's submission. The schedule states that a total area of 2082 sqm of amenity space is proposed which amounts to 5.12 sq.m. of space for each of the 407 bed spaces. Of this space 566 sqm is internal with the remaining 1516sq.m being external. This includes the roof terrace. I note in the parent permission open space was stated to be originally 1700 sq.m. The Development plan guidance requires both qualitative and quantitative space stating 'All proposals must provide appropriate indoor and outdoor communal and recreational facilities for students at a combined level of at least 5-7 sq.m per bedspace. The provision of indoor communal space is particularly important for schemes with a high proportion of studio units, to allow students to interact outside the studio room (in study rooms, tv rooms etc.)'. There was also concern about the level of daylight at the ground level. I note in the design statement in the parent permission that the eastern side was referred to as an amenity space to be enjoyed in the morning sun. While this is limited it was nevertheless relied upon in the provision of amenity space. It is not included in the map of U182-P11 as an amenity space now. It is clearly more perfunctory in its provision of access to bicycle parking and storage and access to bins and laundry.
- 8.3.4. The filling in of the void over the common room would I consider diminish the quality of the common space at ground level and would be a retrograde step in the provision of amenity. I consider in view of the foregoing, there is a case to be made to omit cluster type 4 (six additional bedroom at first floor) in the central core which faces west, thereby reducing the overall bed space number to 393. The planning authority remains unclear as to the exact compliance with minimum floor areas although it would appear to be minimal in deviance. To ensure compliance as a precautionary measure the planning authority require a schedule of accommodation to ensure compliance with minimum standards. I consider this to be reasonable.
- 8.3.5. the applicant was requested to clarify the provision of adequate cycle parking particularly in the absence of car parking. Such as 48 external spaces 284 internal spaces and at least 17 additional internal spaces accessible from the eastern courtyard. 98 were revised to be located in the eastern courtyard and 48 covered and secured with an additional 48 spaces in a secure location
- 8.3.6. A total of 204 spaces for 407 bed spaces complies with the development plan but 254 spaces will be provided in a stacked system and will be more than suffice

8.4. Impact on neighbouring development.

- 8.4.1. The alterations are primarily at lower ground level for the provision of ventilation to the plant room and emergency access. The biggest concern is the interface with Gardiner street, however, from examination of the drawings, including those submitted on response, the interventions in the elevations are modest and

imperceptible. From a visual point of view I am satisfied that there is no significant difference.

- 8.4.2. In terms of fenestration, the elevations show a slight variance in the glazed/solid pattern but essentially 18 window opes will be retained in the elevations. This will have little or no variance in the nature of overlooking from the windows permitted in the parent permission.
- 8.4.3. The planning authority saw a potential opportunity to open up the façade of Gardiner Lane however the applicant explains that there are minimal design changes to that previously permitted and I accept that the elevational treatment at street level is in effect broadly consistent with that permitted.
- 8.4.4. In the response to the grounds of appeal drawings are submitted showing a reversion to boundary treatment and landscaping. This shows a Drawing U182-P124 is consistent with condition 3(a) and demonstrates minimal impact of the proposed emergency access stairs and ventilation grill on the visual amenity of the area. (In the event of grant of permission, I would recommend either including these drawings for compliance in condition one or otherwise the Board should include condition 3 as per the planning authority decision)
- 8.4.5. The proposal remains a positive contribution to the environs in terms of developing a former derelict warehouse site and enlivening the area with residential type use. I do not consider there to be reasonable basis to refuse permission on grounds of visual impact and amenity of Gardiner Lane.

Overlooking

- 8.4.6. The residents of the apartment are concerned about direct overlooking and refer to the introduction of living spaces. I note the Board in its decision required louvered windows for the hotel bedrooms and Dublin City Council subsequently did not require this for study rooms. I do not necessarily see that there is a significant difference between hotel bedroom and study bedroom - one is transient and with few hours of occupancy while the student accommodation is over continuous periods through academic terms, more residential and so with the potential of more intense usage. However, in this case the parent permission does not require louvered windows and I do not consider the changes to the north elevation to materially impact on overlooking. I note two kitchens at each upper level in the northern block have dual aspect – north and south and so there would be a possibility to introduce a screening in the north facing window however on balance I do not consider this entirely reasonable in view of the extant permission.
- 8.4.7. I would also point out that the introduction of bedrooms in the central block at first floor level in the previous double height common area does introduce a level of intensity that may have bearing on privacy to the rear of Langrishe Terrace which backs onto this elevation. The permitted clear storey has no potential for overlooking or noise emanating. The new row of first floor rooms and windows will now face into the rear elevations. This would reverse fenestration improvements as compared to

the hotel in terms of relationship with the housing to the west. I have read the urban design statement in the application 3366/15 and do however note that the windows are angled relying on southerly orientation for light and minimising direct overlooking and I also accept that the set back is in the order of 11m which is standard setback for suburban settings. However, in the context of scale and intensity on balance I consider this is intensifying student use at a sensitive location – the introduction of the extent floor level with associated activity at this point is I consider not warranted. I therefore consider these 6 bedroom should be omitted.

- 8.4.8. I otherwise accept that the proposed would be a positive development and consider the decision of the planning authority should be upheld.

9.0 **Appropriate Assessment**

- 9.1. In view of the nature of the proposed development within the envelope of a permitted building I do not consider the issue of appropriate assessment arises.

10.0 **Recommendation**

- 10.1. I recommend that planning permission should be granted, subject to conditions, for the reasons and considerations as set out below.

11.0 **Reasons and Considerations**

Having regard to the extant permission on site and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply with development plan policy in the provision of student accommodation and would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

12.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by further information submitted to the planning authority on 3rd February 2017 and as further amended in drawings submitted to An Bord Pleanala on 20th April 2017, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission(s) granted on 16th February 2016 under planning authority reg. ref. no. 3366/15 as extended 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(s).

3. The proposed development shall be revised as follows

- a) The total number of student accommodation bed spaces shall be reduced by 14 to an overall total of 393 bed spaces.
- b) The proposed ground floor cluster Type 3 student accommodation (8 no. bed spaces) kitchen (32.6 sq.m.) and laundry room (25 sq.m.) shall be omitted and replaced by the previously approved laundry room, Gym (55 sq.m.) kitchen (32.6 sq.m.) and movie room as shown on drawing U182 P101A (as received on 3rd February 2017)
- c) The proposed first floor cluster Type 4 student accommodation (6 no. bed spaces and kitchen shall be omitted from the first floor and the space shall revert to a double height space of the ground level common areas below.
- d) The proposed ground floor gym may revert to common room use.
- e) Bicycle parking may be proportionally reduced
- f) The proposed eighth floor movie room (28 sq.m.) may be returned to the previously approved study room area. Alternatively, these areas may be reconfigured as a gym area.
- g) A schedule of the internal gross floor area of each room (student, office, indoor amenity spaces, kitchen and such like) shall be measured and indicated correctly on revised drawings. Student accommodation bed spaces shall comply with the minimum standards required in the current Dublin City development plan.

Details shall be submitted for written agreement within 6 months of the date of this decision.

Reason: In the interest of residential amenity in the area and for future occupants.

4. Adequate provision shall be made to facilitate access to and the use of the development, buildings, facilities and services by disabled people. Details of the developer's proposals for complying with this condition shall be submitted to the planning authority for written agreement prior to occupancy of the development.

Reason: In the interest of accessibility and amenity for all people

5. 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.

Suzanne Kehely
Senior Planning Inspector

14th July 2017