



An  
Bord  
Pleanála

## Inspector's Report ABP-300841-18

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<b>Development</b>	Telecommunication Infrastructure
<b>Location</b>	Kyleballynamoe, Freshford, Co. Kilkenny.
<b>Planning Authority</b>	Kilkenny County Council
<b>Planning Authority Reg. Ref.</b>	17/589
<b>Applicant(s)</b>	Signal Infrastructure Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Jeremiah G Campion and Terence O'Brien
<b>Date of Site Inspection</b>	8 <sup>th</sup> March, 2018
<b>Inspector</b>	Stephen Kay

## **1.0 Site Location and Description**

- 1.1. The site is located in a rural area c.4km to the west of Freshford in County Kilkenny. The site is accessed via a local road that runs to the south of the R.693 Freshford to Johnstown road. The Nanny River runs west to east along the valley in between the R.693 and the local road in this location. Site access is via an existing forest track that runs to the south off this local road in the Townland of Kyleballynamoe.
- 1.2. The site is located c.900 metres along the existing forest access track and is proposed to be located in an existing forested area that is in the ownership of Coillte. The forestry on and in the vicinity of the site are stated in the application documentation to date from the mid 1980s. Lands in the vicinity of the site rise to the south from the local road.
- 1.3. The application site is located in an existing wooded area and close to a pinch point between two parcels of Coillte owned lands in this area.
- 1.4. There is an existing archery site located approximately half way up the forest track from the local road to the appeal site.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the construction of a new 36 metre high lattice tower with associated antennae and dishes, equipment, cabinets and fencing.
- 2.2. The mast is stated to be utilised initially by Three, however the purpose of the structure is for use by a range of operators. The report which accompanies the application states that the structure is proposed to be used by a number of operators and the design is such that it could accommodate at least three operators. Written confirmation from Three Ireland that they intend to locate at the site and that they have no objection to co locating with other operators is submitted with the application.

- 2.3. The stated purpose of the development is to provide mobile coverage in Freshford and to bring 4G service to the area. Section 2.1 of the report accompanying the application states that the development would provide improved mobile voice and new data coverage to rural areas to the north, east and west of the site location, the R.693 and the approach roads to the adjacent towns of Freshford and Urlingford.
- 2.4. It is stated that there is limited existing infrastructure in the vicinity of the site and that there is one site located within a 3km radius and a further one site within a 5km radius of the current proposed site.
- 2.5. A certificate of compliance with the ICNIRP limits is included with the application documentation and is on file.
- 2.6. The developer of the site is Signal Infrastructure Limited, a private company who has established commercial links with all of the Irish broadband and mobile phone operators as well as emergency transport and other communications providers.

### **3.0 Planning Authority Decision**

#### **3.1. Request for Further Information**

Prior to the issuing of a Notification of Decision the Planning Authority requested further information on the following issues:

- The submission of a sightline and visibility splay drawing for the proposed development at the existing forestry entrance.
- To address concerns of third parties regarding lightning strikes and the impact on adjoining third party forestry lands.
- Clarification as to whether the development would form part of the national broadband scheme and if so how.
- Submission of additional photomontages along the R.693, and from the scenic viewpoint at Creenkill Beg to the north / NW of the site.

The following is a summary of the main points / information submitted in response:

- A sightline and visibility splay drawing at the entrance to the access track from the access road submitted. Shows a sight line of 61 metres east and 150 metres west.
- The development would have a full lightning protection system. A lightning strike would not impact on cattle or adjoining forestry.
- That the area required for the compound would be cleared but not the surrounding forestry. The surrounding Coillte lands were planted in 1986 with Beech and will be managed with no clear felling of the site proposed.
- That Cignal's shared infrastructure approach to development and the fact that the project would address a blackspot would mean that it is consistent with the national policy which seeks to improve telecommunications services through the provision of suitably sited well designed sites which can accommodate multiple operators and service providers.
- Noted that in the case of a similar development proposed by Cignal in County Kilkenny (KCC Ref. 17/161 and ABP Ref. PL10.248622), the Board stated that *'based in the evidence submitted that the proposed development constitutes equipment for communications purposes that form part of the national broadband scheme or a subsequently endorsed initiative as defined by the Department of Communication, Energy and Natural Resources'*.
- Additional photomontages from the specified points are submitted and the proposed development would not be clearly visible from these locations due to the vegetation and the separation distance.

## 3.2. Internal Reports

- 3.2.1. Planning Officer – Initial report notes concerns expressed by third parties and also by the Roads Department regarding the site access. Further information is recommended. Subsequent report notes the further information response received, states that the location of the site and its position within a forested area and location

relative to the R.693 mean that the visual impact will not be unduly prominent. A recommendation to grant permission consistent with the notification of decision which issued is made.

### 3.2.2. Other Internal Reports

Environment – No objection.

Road Design – Recommend further information is requested on visibility and sight lines at the entrance from the local road.

### 3.3. **Decision**

The Planning Authority issued a Notification of decision to Grant Permission subject to 8 no. conditions the most notable of which are considered to be as follows:

- Condition No.5 requires that the developer shall allow, subject to reasonable terms, other licenced mobile communications operators to co-locate their equipment on the structure.
- Condition No.6 requires that the painting of the structure shall be maintained.
- Condition No.7 requires that the number and type of antennae and other structures shall be as set out in the details submitted on 7<sup>th</sup> September, 2017.

### 3.4. **Third Party Observations**

Two third party observations objecting to the proposed development were received.

The main issues raised in these submissions are as follows:

- That the development would impact adjoining lands in terms of noise, lightning and traffic.
- Lack of consultation with Coillte.
- That site is located close to third party lands and will have a visual impact and depreciate the value of adjoining lands.
- Concerns regarding power output, and signal strength,

- The mast will be twice to three times the height of the surrounding forestry and will be visually prominent from local roads.

## 4.0 Planning History

There is no record of any recent planning history on the site or on adjacent lands.

Kilkenny County Council Ref. 17/161 / ABP Ref. PL10.248622 – Precedent case cited by the first party appellants in their submission to the Planning Authority. This case related to a section 48 contribution appeal and in the determination the Board Direction it is stated that *'based in the evidence submitted that the proposed development constitutes equipment for communications purposes that form part of the national broadband scheme or a subsequently endorsed initiative as defined by the Department of Communication, Energy and Natural Resources'*.

## 5.0 Policy Context

### 5.1. Development Plan

Section 9.4.1 of the Plan relates to the national broadband scheme, the rural broadband scheme and the Broadband to schools initiative.

The relevant section of the plan that sets out policy with regard to Telecommunications Antennae is 9.4.2. 9.4.2.1 of the plan sets out the issues to which the planning authority will have regard in making decisions on planning applications. These include visual impact, the potential for co-location, the DoE Guidance and Circular PL07/12.

Save in exceptional circumstances, telecommunications developments will not be encouraged in highly scenic areas or in areas specific as highly scenic in the landscape character assessment. Development proposals are required to show alternatives, the number of existing masts and proposals for future development.

Section 8.2.10 of the plan relates to landscape character areas and the Landscape Character Assessment produced with the 2008 County Development Plan is referenced. The site appears to be located in LCA A3, the Slieveardagh transitional

area. The site is not located in one of the character areas identified as being of particularly high visual amenity or sensitivity to development.

## 5.2. **Natural Heritage Designations**

The following sites are located in the general vicinity of the appeal site:

- The River Barrow and River Nore SAC (site code 002162) is located c.8.5 km to the east of the appeal site at the closest point.
- Spahill and Clomantagh Hill SAC (site code 000849) is located is located 4km to the north west.
- The Loughans SAC (site code 000407) is located 5km to the west of the site.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The following is a summary of the main issues raised in the grounds of appeal:

- That the area is known as the Happy Valley and is bisected by the Nueanna River. The area is of significant historical interest having medieval fort houses and church ruins and raths. These include Tubrid castle, Clomantagh Castle and Balief Castle.
- That views from Tubrid castle towards the M8 have already been adversely impacted by wind turbines.
- That the mast would be excessively visually prominent from the R693, positions A and B on submitted map and also from a location to the south of the site. These locations were not examined in the photomontages submitted to the council in response to the further information request.
- That the site is located less than 50 metres from the boundary with Mr Terence O'Brien's farm and 500 metres from his house. Mr O'Brien is a registered stud farmer.

- The site is less than 10 metres from the entrance to the Campion's woodland and will sterilise this land for future development. Mr Campion has been advised that he would qualify in the future for rural housing on these lands and these plans would be ruined with the proposed development.
- That Coillte have alternative lands in the area. No alternative sites were investigated and it would be more appropriate for masts to be sited in the centre of Coillte lands.
- That the track that accesses the site is used by many local walkers and by a local archery club.

## 6.2. Applicant Response

The following is a summary of the main issues raised in the first party response to the grounds of appeal:

- That the visual impact of the structure has already been adequately detailed in the planning application including further information response.
- That the site is located in 'A3 Slievearagh' and are not considered to be of a special or sensitive nature. A2 and A3 areas are perceived as having high acceptability of potential development.
- The proposed lattice structure located in a forested area will not have a significant visual impact.
- That the site was chosen as it enables technical engineering objectives to be met. The Planning Guidelines state that this is an important basis for locational decisions.
- That previous decisions of the Board have not determined that there is a separation distance to houses or other properties that must be met in rural locations.
- As set out in the report of the mobile phone and broadband taskforce there has been an exponential growth in data usage in recent years and there is a need to locate more masts in the most suitable locations.



- That Coillte undertook its standard consultation by sending an information letter to surrounding land owners. No responses were received. A copy of the letter is attached with the response.
- That section 2 of the planning report submitted with the application sets out why alternative Coillte sites in the area are not suitable for reasons relating to location and ecology. The site was selected because it has a good elevation and location relative to the target road and because the existing access minimised environmental impacts.
- That the land take proposed is minimal and there will not be significant impact on recreational amenity.

### 6.3. **Planning Authority Response**

Response received stating that the Planning Authority have no further comments to make on the appeal.

### 6.4. **Third Party Comment on First Party Response to Grounds of Appeal**

The following is a summary of the main issues raised in the response of the third party appellants to the first party response to the grounds of appeal:

- That the visibility of the proposed development has been clearly indicated in previous submissions.
- That the site of the proposed development has been damaged in recent storms and is not dense woodland. The trees in the vicinity are half way through their life cycle and are relatively sparse.
- That the appeal refers to the potential impact on bloodstock while the response from Signal refers to livestock which are cattle and foals.
- That the two property owners closest to the site did not receive any correspondence from Signal or Coillte prior to the submission of the application.

- That the alternative sites were not properly investigated. The proposed development would restrict land uses on the appellant's lands such as potential for wind turbines.
- That there is no reference or regard to the local rath or mass rock.
- That there is no available area for further screen planting or replacement planting as stated by the applicants.

## 7.0 Assessment

The following are considered to be the main issues in the assessment of this appeal:

- Principle of Development and Impact on Residential Amenity and Existing Land Uses
- Visual Impact,
- Traffic and Access,
- Cultural Heritage Impacts,
- Appropriate Assessment

### 7.1. Principle of Development and Impact on Residential Amenity and Existing Land Uses

- 7.1.1. The development is located on lands that are outside of any settlement. Paragraph 9.4.2.1 of the *Kilkenny County Development Plan, 2014-2020* sets out the main issues in respect of which the council will have regard when determining applications for telecommunications infrastructure. The factors to be considered include visual impact which is discussed in the following section, and compatibility with national guidance, the impact on amenity routes, schools, residential areas and the encouragement of co-location. The Plan states that applicants will be required to set out the alternatives considered and why the proposed location was chosen.
- 7.1.2. The appellants contend that they were not consulted by Coillte in advance of the submission of the planning application and the statement of the first party that all

adjoining landowners were informed of the proposed development is refuted. There is no requirement under the planning and development legislation for the applicants in this case to inform or engage with any adjoining property owners although it would be preferable if this was the case. In the circumstances of the subject appeal the first party state that all adjoining land owners were informed prior to the submission of the application and I have no means of verifying whether this was or was not undertaken.

- 7.1.3. The development plan and the DoE Guidelines Telecommunications Antennae and Support Structures (1996) and circular letter PL07/12 place significant emphasis on the importance of co-location and new telecommunications structures being used by more than one operator. In the case of the proposed development, the developer Signal state that they are a private developer and that the proposed mast will be utilised by Three Ireland. The mast will however also likely be used by other mobile phone and broadband providers and there is no indication that the usage of the site will be restricted to Three Ireland. A letter of support for the development from Three Ireland stating that they intend to locate on this site and to co locate with other operators is enclosed with the application.
- 7.1.4. Paragraph 9.4.2.1 of the Plan states that telecommunications masts will be discouraged in close proximity to residential areas, schools or other sensitive land uses. The appellants object to the proposal on the basis that the site is located less than 50 metres from the boundary with Mr O'Brien's farm and 500 metres from his house. Mr O'Brien is a registered stud farmer and it is contended that the development could have an adverse impact on this activity. Having inspected the site it is my opinion that the proposed development is at a sufficient remove from the closest dwelling that there would be no negative impact on residential amenity. There is no indication as to the location of any equine related activity in close proximity to the site and from the information presented I do not see how the proposed development would be such as to impact negatively on any such activity.
- 7.1.5. The appellants also make reference to the proximity of the site to the entrance to the Champion's woodland (stated to be within 10 metres) and contend that this proximity will sterilise this land for future development. The appeal states that Mr Champion has been advised that he would qualify in the future for rural housing on these lands, and a further response submission from the appellants make reference to the

potential impact of the proposed development on the future use of adjoining lands for a wind farm use. From the information presented and an inspection of the appeal site I do not see how the proposed development would be such as to significantly impact on the use or future development potential of the appellant's lands having regard to their location. The reference to the impact of the proposed development on future development potential of their lands does also appear somewhat contradictory to the appeal grounds relating to the impact on the visual amenity and cultural heritage of the area.

- 7.1.6. The appellants contend that no alternative sites were investigated and it would be more appropriate for masts to be sited in the centre of Coillte lands. I note however that the report submitted with the application clearly sets out the need for the proposed development in terms of the coverage of the R.693 regional road and the limitations that exist with regard to alternative locations and coverage with the existing network. These issues are specifically addressed at Section 2 of the report submitted with the application and in my opinion a clear and logical justification for the location proposed has been set out by the first party.
- 7.1.7. With regard to the potential impact of the proposed development on local recreational amenity, the appellants note the fact that the existing forest track that accesses the site is used by local walkers and by a local archery club. This is clearly the case however I do not consider that the location of the proposed development, while close to the track is such that it would significantly impact on the recreational amenity of these users of the area.

## **7.2. Visual Impact,**

- 7.2.1. The appellants contend that the proposed development would be excessively visually prominent when viewed from the R.693 to the north as well as from local roads to the south of the site. Three specific locations are identified in the third party appeal submission which it is contended are locations where there would be an adverse visual impact and which were not the subject of assessment in the visual impact report submitted with the application. Two of these locations are on the R693 to the north and north west of the site and a third location is on the local road network c.2km to the south.

7.2.2. The site is located in an elevated area to the south of the R.693. The site does have a field of visual impact that covers a significant section of this road that runs to the north and north west of the appeal site. There are however in my opinion a number of factors that mitigate the potential impact of the proposed development when viewed from the R693. Firstly, the nature of the roadside boundary is such that clear views from the road in the direction of the appeal site are limited. Secondly, the separation distances are such that the closest point on the R.693 to the appeal site is in excess of 1km and Points A and B on the R.693 identified by the appellants are located c.1.3 and 2.2km respectively from the appeal site. The potential visual impact is also mitigated to a significant extent by the height of the existing mature vegetation on the site. The existing planting is stated to have been in place for in excess of 30 years and to be approximately half way through its rotation. The height of the existing trees relative to the proposed 26 metre high mast is difficult to judge accurately, however I would estimate them to be at least half the height of the proposed mast structure. Notwithstanding the loss of some existing trees to facilitate the construction of the mast and associated compound, I consider that the existing plantation would significantly mitigate the likely visual impact and that this screening effect would be maintained for a significant period into the future and likely cover the operational life of the mast site. I note the letter on file from Coillte which states that the nature of the beech plantation on the site is such that the site will never be clear felled. Taken in combination with the character of the roadside boundary to the R693 and the separation distance between the viewer and the site I consider that the assessment provided in the submitted Visual Impact Report that the visual impact of the proposed development would not be significantly adverse is accurate and reflective of the circumstances.

7.2.3. In terms of landscape character, it is difficult to accurately identify which LCA the appeal site is located in based on the map contained in the development plan (Figure 8.2) and the more detailed map contained in the Landscape Character Assessment that accompanied the 2008 Development Plan and which is still referenced in the current Plan. From my assessment, the site is located in A3 the Slieveardagh Transitional Zone and in a location which is not identified as having a special or sensitive landscape character. An A3 area is not identified in the Plan as being one of the upland areas or river valleys which are highly scenic and visually

pleasing and where particular care regarding development proposals is required. The proposed development of a mast in this location is in my opinion consistent with the landscape designation of the site.

- 7.2.4. With regard to the specific locations identified by the third party appellants, photographs of the site from Points A and B on the R.693 are attached with this report. The photographs in my opinion demonstrate the significant separation to the appeal site and when combined with the screening afforded by the existing planting would not result in a significant visual impact. I would also note that the photographs from these locations attached with the appeal appear to be taken from locations on the southern side of the road that are not reflective of the views available by persons travelling on the R.693. Location C identified in the appeal to the south of the site in the vicinity of Adamstown Lower was inspected and I was unable to obtain any clear view of the appeal site from this location. Location C is approximately 2km from the appeal site.
- 7.2.5. Views and prospects are identified at section 8.2.10.6 of the Plan and at Appendix H. The appeal site would not directly impact on any of the views or prospects listed in Appendix H.
- 7.2.6. Overall, it is my opinion that the visual impact of the proposed development would be significantly mitigated by the character of the existing roadside boundary to the R.693, the separation distance between the viewer on this road and the appeal site, the existing tree coverage on the site and the limited availability of other locations where clear views of the site are available. The overall visual impact would not therefore in my opinion be significantly negative and the landscape character of the area is in my opinion not excessively sensitive to development and reflective of its characterisation in the Kilkenny County Development Plan, 2014-2020. The overall landscape and visual impact of the proposed development would not therefore in my opinion be significant or such as to justify refusal of permission.

### **7.3. Traffic and Access,**

- 7.3.1. The site is accessed via an existing forestry track and an access onto the local road. As part of the request for further information the applicant submitted details of the

available sight lines at the access from the forest track onto the local road. The drawings submitted with the further information response shows a sight line of 61 metres east and 150 metres west of the access. The available sight line to the east is therefore slightly below what would be the normal standard for a new access however given the nature of the use and frequency which it is required to be accessed the sight line provision is considered to be acceptable. Regard must also in my opinion be had to the fact that the access point off the local road is existing and that its use will mean that a new access and access road is not required.

#### **7.4. Cultural Heritage Impacts,**

7.4.1. I note that the appeal submission makes reference to a number of significant cultural and historically significant sites in the vicinity of the appeal site, including medieval fort houses and church ruins and raths. These sites include Tubrid castle, Clomantagh Castle and Balief Castle. The sites referenced are all significant historical and cultural sites however their location is such that firstly they are at a significant remove from the appeal site and secondly the predominant view of the site would not be impacted by the proposed development. For these reasons I do not consider that the proposed development would have a significant adverse impact on the cultural or architectural heritage of the general area as contended by the appellants.

#### **7.5. Appropriate Assessment**

7.5.1. The appeal site is not located within any European site. The following sites are located in the general vicinity of the appeal site:

- River Barrow and River Nore SAC (site code 002162)
- Spahill and Clomantagh Hill SAC (site code 000849)
- Loughans SAC (site code 000407)

7.5.2. In terms of separation distances, the River Barrow and River Nore SAC (site code 002162) is located c.8.5 km to the east of the appeal site at the closest point, the

Spahill and Clomantagh Hill SAC (site code 000849) is located 4km to the north west and the Loughans SAC (site code 000407) is located 5km to the west of the site. The main potential impact arising from the construction of the proposed mast would arise from the disturbance of ground and mobilisation of sediment during construction. There are no surface water pathways located in close proximity to the appeal site that would connect the proposed development to the identified European sites.

- 7.5.3. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

- 8.1. Having regard to the above, it is recommended that permission be granted based on the reasons and considerations set out below and subject to the attached conditions.

## 9.0 Reasons and Considerations

Having regard to

- (a) The Guidelines on Telecommunications Antennae and Support Structures issued by the Department of Environment, Heritage and Local Government in 1996;
- (b) The provisions of Circular letter PL07/12 issued by the Department of Environment Community and Local Government;
- (c) The demonstrated need for the proposed development in providing mobile and 4G coverage to the local area;
- (d) the location of the site in an area of established forestry served by an existing access;



(e) to the designation of the site as a transitional area in the landscape character assessment, and

(f) to the site area and the pattern of development in the area,

it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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 as amended by the further plans and particulars submitted on the 5th day of December, 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. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

**Reason:** To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

3. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

**Reason:** In the interest of public health.

4. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public safety.

5. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

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

6. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to and agreed in writing with planning authority prior to the commencement of development.

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

7. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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

8. Details of the works to the local road to improve sight lines as per the plans received by the Planning Authority on the 5th day of December, 2017, including details of road drainage shall be submitted for the written agreement of the planning authority prior to the commencement of development.

**Reason:** In the interests of traffic safety.

9. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The form and amount of the security shall be agreed between the planning authority and the developer, or in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory reinstatement of the site.

10. The developer shall pay to the planning authority a financial contribution of €150 (one hundred and fifty euro) 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 prior to the 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. The application of any indexation required by this condition 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.

**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.

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Stephen Kay  
Planning Inspector

3<sup>rd</sup> July, 2018