



An
Bord
Pleanála

Inspector's Report ABP-300991-18

Development	9 No. 3 Bedroom Houses.
Location	Temple Mills, Yellow Lough Cross, Sheean, Rathangan, Kildare.
Planning Authority	Kildare.
Planning Authority Reg. Ref.	17/875.
Applicant(s)	Thoval Properties.
Type of Application	Permission.
Planning Authority Decision	Refusal.
Type of Appeal	First Party V. Decision.
Appellant(s)	Thoval Properties.
Observer(s)	Michael and Margaret Moore.
Date of Site Inspection	22 nd May 2018
Inspector	Susan McHugh.

1.0 Site Location and Description

- 1.1. The appeal site is located on the western fringe of the town of Rathangan in County Kildare. It is located at the junction between the R419 Portarlington Road and the New Link Road (that extends north to the R401). The area in the vicinity of the site comprises a mix of older bungalows and more modern two storey dwellings.
- 1.2. To the north there is an existing residential development 'Temple Mills' with newer houses within the scheme under construction. To the east is a detached dormer bungalow known as Glenbride, and to the south are single storey bungalows.
- 1.3. There is an agricultural entrance gate to the west side of the site providing access onto the new link road. There is a public footpath and cycle path running along the entire western and southern boundary of the site, which connects back into the town centre.
- 1.4. The subject site is a greenfield site measuring 0.36 ha. It is defined by mature hedgerows and planting along the western and southern boundaries. The eastern boundary is defined by a wall and planting and the northern boundary is undefined. The site rises approximately 2m from east to west.

2.0 Proposed Development

- 2.1. The application was lodged with the planning authority on 02/08/2017 with further plans and details submitted on 08/12/2017. The latter triggered revised public notices.
- 2.2. The proposal as amended comprises;
 - 8 no. semi-detached, dormer style, 3 bed units
 - Dwelling Nos. 1-4 have dormer windows to the front.
 - Dwelling Nos. 5-8 have dormer windows to the rear.
- 2.3. The ridge heights are 6.7m with external finishes to be plaster with selected slates/concrete roof tiles. The dwellings have a contemporary appearance.

- 2.4. The layout provides for dwelling Nos. 1-4 located facing west onto the New Link Road with rear elevations and gardens adjoining Kilbride to the east. Dwelling Nos. 5-8 face south towards the R419 with rear elevations and gardens adjoining permitted house No. 144.
- 2.5. There are two areas of public open space a central area (334sq.m) abutting the eastern boundary and a linear area to the front (220sq.m) adjoining the New Link Road.
- 2.6. The existing hedging to the south will be retained and a new 900m wall (with 1m high pillars) will be erected along the western boundary of the site. This boundary will increase to 1.8m where it forms the boundary of the rear garden of proposed house No. 8.
- 2.7. The existing boundary to the east comprising hedging/trees will be retained and new planting introduced.
- 2.8. Off street car parking is provided for each dwelling (2 cars) and 6 no. visitor spaces are provided.
- 2.9. Access via a new entrance arrangement off the new link distributor road. A new pedestrian access is proposed to the south side of the scheme.
- 2.10. Surface water disposal is by way of a combination of soakpits and new connection to the mains. It is proposed to provide a new gravity sewer which will discharge to the existing foul sewer located on the County Council Road.
- 2.11. The application is accompanied by:
 - Engineering Report.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to **refuse** permission for the following reasons.

1. Having regard to the character of the surrounding area, including the established residential dwelling to the east, to permit the proposed development, which provides for dwellings closely overlooking the private

curtilage of the existing dwelling, would seriously injure the residential amenity of occupiers of the existing dwelling, by virtue of (a) overlooking, where no such overlooking previously existed, (b) visual impact and (c) incongruous development, with a consequent depreciation in value of property, would set an undesirable precedent for similar development proposal and would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proposed layout and lack of active frontage to public road network, the proposed development, which is described as an extension to a previously permitted residential development (16/955), fails to adequately integrate with the permitted scheme and would represent an unacceptable impact on the residential amenity of adjacent occupiers by virtue of visual impact and overlooking. To permit the development would seriously injure the residential amenity of the area, would depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports (dated 25/09/2017 and 31/01/2018)

The **1st Planner's** report includes;

- P.A. Reg. Ref. 16/955 indicated the appeal site as being subject to a future application, was outlined in blue to the south west corner of the landholding.
- Principle of residential development is acceptable.
- Layout – insufficient quality of public open space surrounded by car parking, not appropriate for dwelling No.s 1-5 to back onto the adjoining road to the south, inappropriate for house nos. 8 and 9 to back onto adjoining permitted dwelling and (no. 144).
- Considers reduced heights may be more appropriate given the proximity to single storey dwellings.

The **2nd Planner's** report includes;

- Considers the revised scheme of 8 houses and slightly revised layout does not adequately address the concerns of the planning authority.
- Houses no. 1-4 located forward of the building line of the dormer bungalow to the east and with rear gardens bounding the front garden of this property is unacceptable. It will seriously injure the residential amenity of the dwelling by reason of visual impact overlooking and incongruous development.
- Similarly, the 2 no. semi-detached dormer dwellings located forward of the permitted building line of the adjacent scheme permitted under 16/955 further adds to the visual disamenity for future occupiers.
- The scheme fails to address the public road frontage, and provide active frontage on to the Regional Road, instead presents gables to the road.
- Considers a complete redesign of the proposal is required which more appropriately integrates with the permitted scheme to the north and the established residential dwelling to the east.
- Recommends that permission be refused.

3.2.2. Other Technical Reports

Transportation Department – Report dated 14/09/2018 recommended further information with respect to car parking layout to accommodate visitor car parking. Report dated 05/01/2018 recommends no objection subject to conditions.

Water Services – Report dated 12/09/2017 recommended further information with respect to surface water drainage layout, pipe network design calculations and maintenance of the proposed attenuation storage area. Report dated 22/01/2018 recommended no objection subject to conditions.

Environment – Report dated 07/09/2017 recommended no objection subject to conditions.

Housing – Report dated 22/08/2018 recommended no objection subject to condition.

EHO – Report dated 18/09/2017 recommended no objection.

CFO – Report dated 05/09/2017 recommended no objection subject to conditions.

3.3. **Prescribed Bodies**

Irish Water – Report dated 12/09/2017 recommended further information.

3.4. **Third Party Observations**

3.4.1. A number of third party submissions were received from the following parties;

- Miriam McGuinness
- Thomas Maguire on behalf of Michael and Margaret Moore
- John and Capta Kennedy

3.4.2. The issues raised can be summarised as follows;

- Loss of privacy/overlooking
- Overshadowing and overbearing
- Out of character
- Provision of shared parking and visitor parking
- Excessive density
- Lack of boundary treatment proposals

4.0 **Planning History**

Site to the North

P.A. Reg. Ref. 16/955: Permission **granted** 09/06/2017 for 99 No. two storey dwelling units and all associated site works including new vehicular access to 12.4-acre site subject to conditions to Thoval Properties. This permission appears to have recently commenced being implemented.

5.0 **Policy Context**

5.1. **Development Plan**

5.1.1. **Kildare County Development Plan 2017-2023**

Rathangan is designated as a 'Small Town' in the Kildare County Development Plan. The role of these towns is *'to develop as key local centres for services, with levels of growth to cater for local need at an appropriate scale and to support local enterprise'*.

In respect of small towns Chapter 4 sets out indicative density levels in Table 4.2 for edge of Small Town/Village of between 15-20 units per ha with lower density in some cases.

Chapter 16 sets out Urban Design Guidelines

Chapter 17 sets out Development Management Standards

5.1.2. Rathangan Small Town Plan

The site forms part of a larger landholding zoned 'C8' on the Zoning Map V2-1.7A the objective of which is *'To provide for new residential development'*.

The Plan notes *'This zoning provides for new residential development and associated ancillary services. Permission may also be granted for home based economic activity within this zone, subject to the preservation of residential amenity and traffic considerations. New residential areas should be developed in accordance with a comprehensive plan detailing the layout of services, roads, pedestrian and cycle routes and the landscaping of open space.'*

Section 1.7.8.1 notes the lack of dwellings in Rathangan and the target of 438 dwellings by 2023, and that there has been no significant residential development in the town since 2011.

Rathangan is served by its own wastewater treatment plant.

The Objectives Map V2-1.7B which accompanies the zoning maps shows provision for a roads/junction objective to the west of the site and footpath/cycle track to the south, both of which have been completed.

5.2. Other Relevant Guidance

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage, and Local Government, 2009.

5.3. Natural Heritage Designations

There are no European sites designated under the Habitats Directive located within the vicinity of the site.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal against the decision to refuse permission by the planning authority has been lodged by David Mulcahy Planning Consultants on behalf of the applicant. In summary it states;

- The applicants' preference is for the original scheme submitted to the Council which proposed 9 no. dwellings.

Reason No. 1.

- *Building Line* – If the applicant were to address the building line issues outlined by the Council, the developable area of the site would be so restricted as to render it commercially unviable and refer to drawings prepared by Project Design Architects.
- *Overlooking* – The front garden of any dwelling is only semi-private and is visible to the general public from the adjoining road and footpaths. Willing to provide all dormer windows to the front of the proposed dwellings which will reduce any potential for overlooking of adjoining properties to the rear. Revised plan and elevation drawing submitted.
- *Visual Impact* – The location of the proposed dwellings will be at a notably oblique angle to the front elevation of the adjoining dwellings and given their height and scale, the visual impact will be minimal. The proposed boundary

fencing/walls will further obscure visibility of the proposed dwellings in each instance. Notes the extensive mature trees/hedging to the east of the site along the boundary which will obscure any view of the proposed dwellings.

- *Incongruous* – Unclear as to why the proposed development is deemed incongruous or why this issue would interfere with the residential amenity of future occupants of adjoining sites. No concerns raised in relation to the house design so it appears to relate to the location of the houses forward of the building line of the adjoining dwellings. Appears that the Council are pushing toward a continuation of the permitted row of houses to the north, which was examined by the architects but was found to be unworkable given the minimal amount of room for rear gardens.
- It is accepted that dwelling Nos. 7 and 8 are located forward of the building line formed by the row of dwellings in the permitted development to the north. However, given the low dwelling height, significant rear garden length (15.8m) and the absence of overlooking (if dormers are located to the front) that this is not a fundamental planning issue.
- Perceived building line associated with the bungalow to the north consider there is no such building line, and a single dwelling should not form a building line that dictates future development.

Reason No. 2.

- Reference to visual impact and overlooking - overlap with the first reason for refusal.
- *Lack of Frontage* - Submit that dwellings Nos. 1-4 front onto the New Link Road. Accepts that the gable end of House No. 8 could be redesigned and improved to include a larger window opening to the living room. This would enhance the active edge and provide passive surveillance of the footpath/cycleway.
- *Active Frontage to the South* – Not possible to provide an active frontage to the Regional Road to the south and respect the building line of the adjoining bungalow. Also propose to retain the attractive hedgerow along the boundary

of the regional road which will largely obscure the gable end of house no. 1 particularly as it is not a full two storey gable end.

- While it is proposed to provide a low wall with hedging inside to open up views into/from the site and increase active frontage, would accept a condition of planning to retain the hedge and fence in situ.

6.2. Applicant Response

None.

6.3. Planning Authority Response

The planning authority had no further comments.

6.4. Observation

6.4.1. A further observation was submitted from the following party;

1. Thomas Maguire Solicitors on behalf of Michael and Margaret Moore, Glenbride, Rathangan.

6.4.2. The issues raised are summarised as follows;

- Refer to previous submission on P.A. Reg. Ref. 17/875.
- Overlooking from additional windows to the front of house No. 5 to 8.
- Footprint of residential development is approx. 25% of the area of the site.
- Scale of dormer bungalows is excessive in height.
- Planning for the site should have formed part of the overall landholding of Thoval Properties Limited granted under P.A. Reg. Ref. 16/955.
- The Board should resist adding an additional unit and consider the development piecemeal and haphazard.
- Dormer bungalows should not be allowed as pattern and scale of development along the Regional Road is generally single storey.

- The appeal site is higher than the observers and no attempt to reduce ground levels or propose revised houses into the landscape.

6.5. Further Responses

None.

7.0 Assessment

7.1. 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 issues can be dealt with under the following headings.

- Planning Policy
- Layout Density and Design / Visual Impact
- Residential Amenity
- Appropriate Assessment

7.2. Planning Policy

7.2.1. As per the current small town plan for Rathangan the site is within an area zoned 'C8' the objective of which is '*To provide for new residential development*'. In principle the proposal would accord with the said zoning objective.

7.2.2. I would note that the appeal site which is currently a greenfield site forms part of a larger landholding in the ownership of the applicant. I would also note that permission has been granted under P.A. Reg. Ref. 16/955 for a significant residential scheme to the north of the site. Drawings submitted with that application clearly included the appeal site as part of the overall landholding.

7.2.3. I also note that the site is located at a corner site with frontage onto two main roads and is adjoined to the east by a single house on a large plot and home to the observer to the appeal. It is submitted by the observer to the appeal that the proposed development constitutes haphazard or piecemeal development.

7.2.4. I do not consider that the development of the appeal site as haphazard or piecemeal and I see no obstacle, on this basis to granting permission.

7.3. Layout Density and Design / Visual Impact

7.3.1. The scheme proposes eight no. dormer style semi-detached dwellings, arranged in two blocks and orientated towards two areas of open space. Four of the houses (Dwelling No.s 1-4) are located on the southern part of the site with the gable of house No. 1 addressing the R419. The rear gardens of these four units back onto the front garden of the adjoining house Kilbride to the east.

7.3.2. The other four houses (Dwelling No.s 5-8) are located on the northern part of the site with the gable of house No. 8 addressing the New Link Road. The rear gardens back onto the front, side and rear of a two storey house No. 144 permitted under P.A. Reg. Ref. 16/955. The gable of house No. 5 is located adjacent to the rear garden of the adjoining house Kilbride to the east. The central area of open space is located along the eastern boundary with the gable of Kilbride, while the linear area of open space is located along the frontage of the New Link Road.

7.3.3. The surrounding area is characterised by low profile bungalows, to the south a dormer house to the east and two storey semi-detached houses to the north within Temple Mills. Concerns were raised by the planning authority and in submissions received regarding the layout, and design of the scheme, and the applicant was requested to submit revised proposals to omit a house, and modify the design of the proposed houses.

7.3.4. Although the applicant submitted revised proposals to omit a residential unit and a revised layout for (Dwelling No.s 1-4) at further information stage, the applicant has stated in the appeal a preference to retain the 9 units and layout as originally proposed. The layout as originally proposed provided for 5 no. units located perpendicular to the New Link Road and opposite Dwelling No.s 5-8.

7.3.5. I have examined both layouts for the scheme as originally lodged and as submitted by way of further information, and in my opinion the latter is superior to that originally lodged. In particular, the quality of open space, reduced area of hard landscaping and pedestrian permeability from the Regional Road provides for a more attractive layout for both the occupants of the scheme and in my opinion a more successful

relationship with the adjoining road network. I am satisfied that the proposal to provide 8 no. units as detailed in the further information site layout drawing is appropriate and that a condition be attached to any grant of permission for clarity.

- 7.3.6. I note the issues raised by the planning authority and the observer to the appeal in relation to the need for a co-ordinated layout and design with existing and permitted developments. There is also a strong emphasis on the issue of building lines and active street frontage. In my opinion the appeal site is of sufficient area to dictate its own layout and note that none of the proposed dwellings turn their back onto the public road or directly face the adjoining house to the east or the permitted two storey house No. 144 to the north. In addition, I do not consider, on this corner site, that an active street frontage can be achieved without compromising the residential amenity of adjacent residential development. I also consider that it will provide an acceptable form of development to the public road network.
- 7.3.7. I consider the layout, density and design of the proposed development has been well considered and takes cognisance of existing residential development in the vicinity and the future occupants of the scheme. The proposed development, namely 8 dwellings, equates to a density of approximately 22 units per hectare. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas promotes lower densities in the general range of 15-20 units at the edge of small towns and villages. The guidelines also note the need to ensure the definition of a strong urban edge that defines a clear distinction between urban and the open countryside. While it is acknowledged that the proposed density is marginally above that recommended, it is considered acceptable on this corner site given the densities prevailing and permitted on adjoining sites. It is considered that the proposed development does not constitute overdevelopment of the site, and is appropriate on a corner site at this location.
- 7.3.8. The proposed dormer style houses with a ridge height of 6.8m are contemporary in design and include a projecting ground floor living room window element framed with cement cladding. I also consider that the materials and finishes proposed, which include render and blue black slates to the roof, and modest dormer windows is an acceptable design response for this site.

- 7.3.9. House type 1 includes roof lights to the front with dormer windows to the rear roof slope. House type 2 includes a similar arrangement in reverse with dormer windows located on the front elevation. The applicant has stated in the appeal that consideration could be given to omitting dormer windows to the rear and instead opt for House type 1 throughout. I note the orientation of the proposed houses and consider that there is merit in this proposal as the dormer windows would have either a south or west facing orientation and would be more harmonious in terms of design within the scheme. I recommend that this could be dealt with by condition.
- 7.3.10. I have considered the proposed scale and massing of the proposed dwellings, the relationship with the adjoining roads and proximity to residential properties both existing and permitted. I consider that the design of the dormer style houses is contemporary, includes a variety of finishes, seeks to address the junction, and is an appropriate design response at this location. I would note also that the dormer style acts as a transition between the permitted two storey houses to the north, the adjoining dormer house to the east and single storey houses to the south.
- 7.3.11. The gable of house no. 1 located along the southern part of the site is set back between 3.9m and 2m from the R419. House no 8 located along the north east boundary is set back 1m from the New Link Road. It is proposed in the appeal that the gable of house No. 8 could be redesigned to address the New Link Road more effectively. I am satisfied that this would enhance the active edge and provide passive surveillance of the footpath / cycleway.
- 7.3.12. I further consider the proposal to retain existing hedge rows and trees along the western and southern boundaries will help to assimilate the proposed houses into its surroundings. In this regard I consider that a low stone wall and hedging either side of the proposed entrance and along the frontage to the north would be appropriate and similarly to the south of the proposed entrance and adjoining the space. This would help to open up views into the site while still creating a sense of enclosure. This can be dealt with by condition. I am satisfied that the proposed development will not detract from the visual amenity of the area.
- 7.3.13. In summary, I consider that the proposed development would not be out of character with the immediate area and is appropriate at this location. I am satisfied that the layout and design of the scheme integrates with existing and permitted development.

7.4. Residential Amenity

- 7.4.1. Having regard to the Guidelines for Sustainable Residential Development and the provisions of the current development plan and local area plan the acceptability or otherwise of the proposed development will be subject to the need to attain a balance between the reasonable protection of the amenities and privacy of adjoining property and the need to provide additional residential development at this location. I propose to address such matters in the following sections.
- 7.4.2. The planning authority and observer have serious concerns in relation to overlooking of adjoining permitted and existing residential properties. The applicant in their appeal has responded by submitting revised proposals, which provide for dormer windows to the front elevations only with roof lights only to the rear roof slope as described above. I would note that the proposed dormer windows are quite modest and I am satisfied that subject to the amendment the proposed development will not give rise to excessive overlooking of adjoining properties.
- 7.4.3. I have considered the existing and proposed boundary details and note that existing boundary hedgerows to the south and east are to be retained and augmented. I also note the mature trees along the western boundary of Glenbride abutting the appeal site to the front and rear garden area in particular. I am satisfied that the orientation of the proposed houses together with the separations distances proposed will not give rise to significant overlooking of adjoining residential properties.
- 7.4.4. I note from the drawings submitted on appeal that the applicant has proposed that the option of relocating house No. 144 permitted house under P.A. Reg. Ref. 16/955 could be considered by way of condition. While there may be some merit to this proposal it is however outside the scope of the current application. This would be more appropriately dealt with as an amendment to the permitted scheme.
- 7.4.5. The observer also has concerns in relation to the overbearing effect of the development given the difference in site levels. I accept that there is a gradual fall in levels on the site from east to west but this is not considered excessive. The proposed houses are relatively low profile and I do not consider that they will give rise to an overbearing impact on adjoining residential properties.

- 7.4.6. I do not consider that the proposed development will result in a material impact on the residential amenity of adjoining residential development such that it would impact on the value of adjoining property, particularly given the existing mature screening along the eastern and southern boundaries to be retained.
- 7.4.7. I am satisfied that the proposed scheme, which is relatively modest in scale, utilises the site in an appropriate manner. I am also satisfied that the proposed house design, layout and height have taken due cognisance of adjoining development and would not seriously injure the residential amenities of adjoining residential properties.

7.5. **Appropriate Assessment**

- 7.5.1. Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully service location, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

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

9.0 **Reasons and Considerations**

Having regard to the location of the site on residentially zoned lands in the Rathangan Small Town Plan and to the development standards as set out in the Kildare County Development Plan 2017-2023, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the residential amenities of the area or the amenities of property in the vicinity. 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 2nd August 2017, as amended by the further plans and particulars submitted 8th December 2017 and to An Bord Pleanála 22nd February 2018. Where such conditions require details to be agreed 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. This grant of planning permission permits the construction of eight no. houses in total as indicated on site layout drawing No. G21-PL-01 Rev. A.

Reason: In the interest of clarity.

3. Prior to commencement of development, revised plans showing compliance with the following requirements shall be submitted to, and agreed in writing with, the planning authority:
 - (a) All houses shall include dormer windows to the front elevations only and roof lights to the rear roof slope.
 - (b) The gable elevation of house No. 8 shall include a window at ground floor.

Reason: In the interest of residential and visual amenity.

4. Prior to commencement of development, details of all boundary treatments to the adjoining public road network shall be submitted to and agreed in writing with the planning authority.
 - (a) Existing planting along the southern boundary with the Regional Road R419 shall be retained.
 - (b) A low stone wall and hedging along the frontage to the north and

south of the proposed entrance.

(c) A hard landscaping plan with delineation and specification of site boundary details including external finishes.

(d) A soft landscaping plan incorporating native/indigenous species.

Reason: In the interest of residential and visual amenity.

5. The developer shall comply with the requirements of the planning authority with respect to off-site parking, site entrance details, signage, naming of development and road markings, details of which shall be ascertained and submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

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

Reason: In the interest of public health.

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, 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.

Susan McHugh
Planning Inspectorate

31st May 2018