



An  
Bord  
Pleanála

## Inspector's Report ABP-301332-18

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<b>Development</b>	Mixed commercial/residential use comprising 2 shop units, 2 office units and 2 no. one bedroom apartments.
<b>Location</b>	Dublin Road Naas, Co. Kildare
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	17/1112
<b>Applicant(s)</b>	Shane Maguire
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant with Conditions
<b>Type of Appeal</b>	Third Party Vs Grant of Permission
<b>Appellant(s)</b>	Martin Burke
<b>Observer(s)</b>	Linda Comerford & Others
<b>Date of Site Inspection</b>	18 <sup>th</sup> of July 2018
<b>Inspector</b>	Caryn Coogan

## 1.0 Site Location and Description

- 1.1. The subject site is located along the Dublin Road in the centre of Naas town, Co. Kildare. It is a vacant site located near Naas Town Centre Shopping Centre. There is a petrol filling station, and a busy junction off the Blessington Road opposite the site.
- 1.2. The site is located alongside a mature residential area called St. Corban's Place. This consists of a crescent of terraced houses immediately adjoining the subject site, overlooking a central green space. There is a single storey Montessori school to the west of the site, and a green area associated with the housing estate to the east. The site backs onto the southern boundary of 62 St. Corban's Place, an end of terrace dwelling.
- 1.3. Access to the site is from the Main Dublin Road or St. Corban's Place. The site is triangular in configuration. The most notable feature of the site is that it is overgrown with vegetation and has no function.
- 1.4. There is a 2metre high concrete block wall along the northern site boundary which separates the site from the end of terrace residential unit. There is a 2metres wire mesh fence along the western site boundary separating the site from the grounds of the Montessori school. The Dublin Road consists of a timber fence with a mature hedge.

## 2.0 Proposed Development

- 2.1. The proposed development is a two-storey building, with a mixed use of retailing, office and residential over both floors. There will be two apartments, two shop units and two office areas. The proposal reads as a vernacular two storey development onto the Dublin Road. Vehicular access to the site will be from the residential estate, Corban's Avenue, with (no. designated carparking spaces to the rear of the proposed development.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The planning authority granted the proposed development subject to 40No. conditions

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The report details the proposed development, development polices, the objections received, and recommends a grant of permission in line with the decision.

#### **3.2.2. Other Technical Reports**

There were no concerns raised from the internal reports, the relevant sections had no objection to the propose development.

### **3.3. Prescribed Bodies**

Irish Water has no objection to the proposal.

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

Lynda Comerford and several other Third-Party residents' form St. Corban's place submitted the following concerns regarding the proposed development:

- St. Corban's Place is 80 years old and will not be able to withstand heavy construction. The historic value of the estate is the reason Kildare Co. Co. refuse home owners planning permissions for extensions. The disturbance caused by heavy machinery and noise will upset elderly residents and children.
- There is no entrance to the development. There is a lack of information regarding the relocation of the footpath while construction is taking place, and on the drawings part of the adjoining greenspace has disappeared and has been obtained for an entrance to the property.

- Surrounding the green area is a road giving access to dwellings at the front and approximately 20No. parking spaces for residents. There are existing parking issues in the estate with no-residents and commuters parking on both sides of the road. The residents have asked for double yellow lines and meters to prevent the parking, and volumes of traffic coming into the estate.
- The parking renders the road impassable to service vehicles such as trucks, ambulances etc. It is unacceptable to permit delivery trucks through the estate.
- There are at least 15 No. empty commercial units on the Main Street of Naas, along with a derelict shopping centre with 43No. retail units which ended up in Nama. There is no need for more retailing in the town.
- Traffic safety concerns regarding access through a residential estate

#### 4.0 Planning History

There is an extensive planning history on the subject site dating back twenty years to 1998. The most recent and relevant files are as follows:

In 2010, permission was granted to Thomas Maguire for a two-storey residential building comprising of 4No. three-bedroom terraced townhouses and a new site entrance from St. Corban's Place, access road, bin storage. This permission was extended in 2015 under planning registration 15/28 to 2020. This permission has not commenced on site

Previously under planning registration numbers 03/500143 (PL73.206885) and 09/500024, a medical centre was permitted on the subject site with 4No. medical consultant rooms and a new site entrance from St. Corban's Place. Previous to that under 02/500018 (PL73.130992), the Medical Centre was refused by the planning authority and the Board because it had direct access onto the Dublin Road.

## 5.0 Policy Context

### 5.1. Development Plan

The development plan for Naas has expired Naas Town Development Plan 2011-2017. The new Draft Naas LAP 2018 is currently been prepared and to date has not been adopted. Under the provisions of the Naas Town Development Plan 2011-2017, the subject site is zoned **K – Commercial/ Residential**. St. Corban's Place is zoned Residential Infill.

**To protect and improve existing commercial and residential uses and provide for additional compatible uses.**

The purpose of this zoning is to reflect the established mix of commercial and residential uses which have developed historically in Naas. Any new development in this zone must not prejudice the viability of established land uses within the zone.

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

The relevant Development Plan standards are as follows:

##### **17.2.1 Building Heights**

The appropriate maximum or minimum height of any building will be determined by:

- The prevailing building height in the surrounding area.
- The proximity of existing housing.
- The formation of a cohesive streetscape pattern, including height and scale of proposed development relative to width of street or area of open space.

Table 17.7

Minimum amenity Space Requirements for Apartments

Studio 4m<sup>2</sup>

One Bedroom 5m<sup>2</sup>

Two Bedroom 7m<sup>2</sup>

Three Bedroom 9m<sup>2</sup>

- Off-street vehicular parking, e.g. basement parking, to be provided, along with 'drop-off' spaces at street level.
- Cycle storage areas which are convenient and accessible to each of the apartments shall be provided.
- Communal facilities (including those associated with the running of the scheme such as cleaners' stores, management room or on-site accommodation for management staff) should be indicated at planning application stage, along with refuse arrangements that provide adequate, secure, accessible storage areas with visual screening.
- In the case of residential accommodation over non-residential uses, a separate access should be provided for the upper floor accommodation, and proper sound-proofing, ventilation and storage must be built into the design of the building. Normal planning and urban design considerations shall continue to be applied to proposed apartment schemes, e.g. external design, height, overlooking and the need to present a live edge to the street.

## **Table 17.9**

### **Car Parking Standards**

Apartments: 1 space per unit + 1 visitor space per 2 units

**Retail:** 1 space per 20 sqm gross floor area or 1 space per car space, whichever is greater

**Office:** 1 per 30 sqm gross floor area

## **6.0 The Appeal**

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

Martin Burke of 50 St. Corbans Pace has taken this third-party appeal against the planning authority's decision to grant permission for the development. The following is a summary of the relevant issues raised in the grounds of appeal: -

- Permission previously refused for a similar development on the site

- St. Corban's was built over fifty years ago, it is a small housing states with narrow roads, little or no site parking on both sides of road
- Emergency vehicles have great problems accessing houses.
- The only access to the site is on the narrow access road which adjoins the open space where children play.
- The subject site is tiny, bounded on one side by a busy road, and a Montessori school on another side, there is no room for the construction traffic/ parking, or future staff and customers.
- Town centre of Naas has too many vacant properties, some have been vacant for years. There is no need for the development in the town.
- Most residents are elderly and on pensions they cannot afford to appeal.
- The Board must examine the development in terms of needs, and impact on a small community of the edge of the busiest road in Naas, and the visual impact on a unique old housing estate.
- The residents have been refused planning permission to extend their dwelling because it would have a negative impact on the vernacular character of the estate, and now it would appear this concern is not important to the local authority.

## 6.2. Applicant Response

There is a current live permission on the subject site for 4No. town houses under Planning Registration No. 15/28 The permission expires on 25<sup>th</sup> of September 2020.

- Under planning reference 17/1112 in the 'Autotrack' analysis of the road within St. Corban's Place that vehicular access into and out of the site is adequate to cater for refuse trucks, fire brigade and other Vehicular traffic
- There is an onsite sign stating only residents of St. Corban's terrace can park within the estate.
- There is an onsite sign stating No dumping is allowed within the estate

- The proposed vehicular access to the site has been approved under previous planning applications. There is currently a permission on the site that allows vehicular access onto the site.

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

The planning authority had no further comment.

### 6.4. **Observations**

There is a multitude of third party submission made on appeal by residents of St. Corban's Place. The following is a summary of the concerns raised:

- St. Corban's Place is over 80 years old and will not be able to withstand the construction works. Kildare Co. co. refuse planning permission for extensions to individual dwellings within the old estate because of its historic and architectural character. The disruption caused by heavy machinery and noise pollution will be disruptive to residents.
- There is no visible entrance to the property on the plans, therefore how can planning permission be granted? There is a lack of information regarding the footpath, part of the green space has disappeared and will be used for the entrance to the property
- The through road surrounding the green area has approximately 20No. spaces for residents. There are ongoing parking issues within the estate with non-residents parking and commuters on both sides of the green. Kildare County councillors have been lobbied for double yellow lines. The children need to be supervised while playing on the green.
- Large public service vehicles cannot pass through the estate because of the narrow road and onsite parking.
- There should be no more retail units permitted in Naas as there are 15No. empty units in the town centre and these have been empty for a considerable amount of time.
- The noise and traffic will result in unnecessary stress to residents.



## 7.0 Assessment

The subject site, 0.076Ha, fronts the Dublin Road in Naas town Centre. It is a vacant site located within 500metres of Naas Town Shopping centre and positioned between a Montessori school and a mature housing estate, St. Corban's Place. The subject site has a long road frontage onto the main Dublin Road out of Naas town centre. In addition, the subject site is directly opposite a busy signalled junction, the Dublin Road/ Blessington Road junction. Therefore, the proposed vehicular access to the site is from the estate road of St. Corban's Place along the eastern site boundary.

There is an extensive planning history associated with this infill site spanning over twenty years with a total of ten different planning applications on the site at various stages for various landuses. Currently, there is an outstanding planning permission on the site for 4No. three bedroomed dwellings which was granted planning permission under planning reference **15/28** on the 15<sup>th</sup> of March 2015. The permitted access to the residential development is directly from St. Corban's Place. This direct access from St. Corban's Place is one of the most contentious issues on appeal from the residents of St. Corban's Place.

7.1. The appeal will be assessed under a number of headings.

### **Development Plan**

The development plan for the area *Naas Town Development Plan 2011-2017* has expired and a new plan is currently being prepared. Under the Naas Town Plan the subject site is zoned **K – Commercial/ Residential** *To protect and improve existing commercial and residential uses and provide for additional compatible uses.*

The proposed development complies with the zoning objective for the area. According to Table 14.5 Land Use Zoning Matrix, a dwelling unit, offices and convenience shopping is permissible under the zoning objective. It is a mixed use development which includes 2No. one bedroomed apartments, 2No. shop units on the ground floor with 2No. office units on the first floor. The development is a two-storey block with a gross floor area of 436sq.m. with parking and refuse storage to the rear of the building. The proposed use of the development is in keeping with the

zoning objective of the site. To the east there is a residential estate, and to the west of the site is a Montessori school. The Naas Town Centre shopping centre is within 500metres west of the site. I consider the proposed uses to be conducive to a town centre location, and in keeping with the underlying zoning objective of the development plan.

### **Infrastructure**

- 7.2. The proposed development will connect to existing services. There is an existing watermain traversing the centre of the site servicing the houses at St. Corbans Place. It is proposed to relocate the watermain to an agreed location. There is an existing manhole in the Dublin Road and there will be a connection to the sewer at the point indicated on Drawing No. 601-1602. In terms of surface water, there is a combination of disposal and recycling proposed on site. The surface water drainage on site will be in accordance with SUDS, greater Dublin Storm water management Policy.

### **Neighbourhood Character**

- 7.3. The predominant characteristics of the existing neighbourhood is two storey dwellings. There are two storey houses to the east of the subject site, and a single storey Montessori school to the west. There is a filling station on the opposite side of the road. The proposed two storey profile with a pitched roof, is respectful of the neighbourhood setting and, in my opinion, will visually enhance the area. The front elevation addressing Dublin Road incorporates some contemporary design and finishes. Overall, I believe the proposal will make a positive contribution to the neighbourhood character as opposed to the existing wasteland. The proposed massing, proportions and façade articulation are in keeping with the established built form in the vicinity.

### **Site Layout**

- 7.4. In order to integrate the development into the existing built environment, the main façade and front elevation forms a streetscape along the Dublin Road, with parking, refuse storage and open space to the rear of the block. The proposed access to the site is off St. Corban's Place and, in my opinion, this creates a safe and functional environment for the potential users of the site and proposed development. The pedestrian links will come from the Dublin Road to the town centre and commercial

hub in Naas. In my opinion, the proposed layout integrates well with the existing neighbourhood, enhances the existing streetscape, maintains the existing amenities for the adjacent residents, and provides a secure and private living environment for future residents.

7.5. The subject site is orientated in a south eastern direction. There is an end of terrace house adjoining the site along the northern side boundary (62 St. Corban's Place). The proposed setback from existing buildings is acceptable and there are no opposing windows at first floor level. There is a 2metre concrete wall dividing the subject site from the adjoining residence, and the potential visual bulk of the proposed when viewed from No. 62 Corban's Place will be acceptable and typical of an urban setting.

7.6. The proposed residential element of the scheme is positioned along the western site axis of the site. This implies the rear garden area of No. 62 St. Corban's Place will not be directly overlooked by the development. There will be an element of overlooking of the rear windows of the offices on the first floor. As stated earlier, there is an existing permission for 4No. townhouses on the subject site, and level of overlooking associated with the layout was deemed to be acceptable. In my opinion, the main activities associated with the proposed development will occur along the Dublin Road elevation. I am satisfied the proposed development and proposed uses are modest in scale, and will not impact negatively on the existing residential amenities associated with St. Corban's Place.

#### 7.7. **Carparking**

There are 9No. on site carparking space spaces proposed to the rear of the propose development. According to Table 17.5 of the Kildare County Development Plan there is one carparking space per apartment unit required and one visitor space per two apartment units. In terms of the retail; element one space per 20 sqm gross floor area and office use is 1 per 30 sqm gross floor area. In accordance with the requirement the following is the required number of spaces:

2No. one-bedroom apartments = 2No. spaces

106sqm. of retail space = 5No. spaces

124sq.m of office space = 4No. spaces

I believe carparking space No. 5 should be removed from the scheme, as it could hinder deliveries to the site, and significantly reduce vehicular manoeuvrability on the site, which will discourage onsite parking. There will be shortfall of 3No. carparking spaces which can be levied in the conditions.

In addition, a planning condition should be imposed requiring all carparking associated with the staff and residents of the development shall be contained within the site and should not overflow into the adjoining estate. It is clear from the layout drawings that the site is restricted to the rear to accommodate 9No. spaces and provide satisfactory area for manoeuvring. In the event there is no condition attached requiring all day parking to be contained within the site, it is a realistic assumption that the parking will occur along the St. Corban's access road, which is unacceptable in terms of traffic and pedestrian safety.

### **Access**

- 7.8. Access to the proposed development is from St. Corban's Place, the mature residential estate immediately east of the subject site. There is a crescent of terraced dwellings overlooking a green area immediately contiguous to the subject site. St. Corban's Place has a direct access off the main Dublin Road and the residential road beside the site forms a triangular layout. The dwellings have no curtilage parking, there is both perpendicular and parallel parking for the residents along the access road. I noted during my inspection there was a high level of parking along parts of the access road and the road remained accessible to cars and large vehicles.

The Board should note the access arrangements via St. Corban's Place is the most contentious issue on appeal. The appellants consider there is excessive carparking occurring in St. Corban's Place which is associated with people commuting and shopping. According to the appellant/ observers, the carparking along the narrow roads of St. Corban's Place is negatively affecting access for large public service vehicles such as refuse trucks and emergency vehicles. As stated, I did not witness the alleged impasses during my inspection. However, the appellants are concerned

the development will lead to additional parking in the area and the access roads will become inaccessible.

As stated earlier in the report, there is an outstanding permission on the subject site for 4No. dwellings with access to the site located at the proposed location. The Board should note the planning history does include an old appeal file **PL73.130992**, which was a refusal for a two-storey unit containing medical/ consultancy suites which had direct access onto the Dublin Road from the subject site. This was refused for a number of reasons including the following reason:

*The proposed development would generate traffic turning movements in close proximity to the busy signalised junction, the Dublin Road/Blessington Road junction, that would interfere with the safe and free flow of traffic at this junction and would thus endanger public safety by reason of a traffic hazard.*

In my opinion, this reason for refusal remains valid even though the decision was made by the Board in 2002. After the decision to refuse, a revised application for the medical suites on the subject site was lodged, and the planning authority and the Board permitted the medical centre on the site with access from St. Corban's Place in 2004 under planning references **03/500143 (PL73.206885)**. The traffic at the busy junction fronting the site is heavier now than in 2002, with significant constant queuing at all times at the traffic lights. The only reasonable and safe vehicular access to the site is from St. Corban's Place.

- 7.9. The proposed access is directly off a road which is a loop road around a green area, as opposed to a cul-de-sac within St. Corban's Place. The lead into the site from St. Corban's Place is along a 5metre access road which runs parallel to the Dublin Road. This road narrows to 4metres on approaching the subject site. There is a section of land outside of the site boundary and the access road which must be traversed to gain access to the subject site, and the plans state this will have a tarmac finish to the edge of the road. In note the item No. 1 of the request for further information, dated 29<sup>th</sup> of November 2011, addressed this issue. A more detailed drawing of the proposed access is illustrated on Drawing No. 601-1612 which was submitted to the planning authority on the 8<sup>th</sup> of February 2018. The further information also included an Auto Track Analysis, which demonstrated how the delivery or refuse trucks would access the site without causing undue hinderance

to the traffic along St. Corban's Place. I am satisfied the proposed access arrangements are acceptable in terms of traffic and pedestrian safety.

### **Site Facilities**

- 7.10. There is a cycle stand area, 2No bin stores and a communal open space area of 94sq.m to provide for the adequate and convenient needs of the staff and occupants of the development. Given the town centre location of the subject site, there is ample communal facilities within walking distance of the subject site.

### **Other Matters**

- 7.11. The submission documents present the proposed development in three phases, this is to ensure the development contributions are divided into three different contributions payments. Condition No. 40 of the permission states that a sum of €21,469 shall be paid as a development contribution in accordance with section 13 of the Scheme. Section 13 states that 50% of contributions due shall be payable on submission of the commencement notice and the remaining 50% within 12months of the first payment due date. This contradicts Condition No. 2 of the permission. Given the modest scale of the proposal, I consider it reasonable for the applicant and the planning authority to come to a mutual arrangement over payment.

The grounds of appeal raised the issue of disturbance and disruption to residents during the construction phase of the development. The site is within an urban location, at a heavy trafficked junction in Naas and within 500metres of a shopping centre. The ambient noise levels in the area would be quite high, and this is normal for a central urban location. Construction works are only temporary, and the proposed development is modest in scale. I satisfied that a condition restricting the hours of operations will suffice.

### **Appropriate Assessment**

- 7.12. The site is located within the town centre of Naas town. The closest Natura 2000 site is 8.5km west called Red Bog SAC and 9km east at Mouds Bog Sac. There was a screening process for Appropriate Assessment carried out by the planning authority. The nature and scale of the proposed development, the significant

distance from Natura sites, and proposed connections to existing public services, there is no potential impact to any Natura 2000 site because of the proposal.

## 8.0 Recommendation

Having inspected the site, considered the relevant issues on the appeal file, I recommend the planning authority's decision to grant planning permission for the proposed development be upheld for the following reasons and considerations.

## 9.0 Reasons and Considerations

Having regard to the location of the site in Naas Town Centre, to the pattern of development in the area, the planning history of the site and the zoning objective for the site in the development plan, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the character or residential amenities of the area 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.

### 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 8th day of February 2018, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or

replacing them, any change to the display panel, including any increase in the number of posters to be displayed, the scrolling mechanism or the internal/external illumination, shall be the subject of a separate application for permission to the planning authority.

**Reason:** To enable the planning authority to assess the impacts of any such changes on the amenities of the area

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.

4. (a) The car parking area to the rear of the development shall be for staff and residents, only. There shall be no parking of staff and residents' vehicles in the adjoining residential estate to the east giving access to the carparking area. Full details of complying with condition shall be submitted to and agreed in writing with the planning authority prior to the commencement of the development;

(b) Carpark space No. 5 shall be removed from the scheme, and revised drawings shall be submitted to the planning authority for agreement prior to the commencement of the development.

**Reason:** To minimise the traffic movements to the rear of the development

5. The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be soiled, seeded, and landscaped in



accordance with the further information submitted to the planning authority on 8<sup>th</sup> of February 2018. This work shall be completed before any of the apartments are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.

**Reason:** To ensure the satisfactory development of the public open space areas, and their continued use for this purpose

6. Details of all external shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenity.

7. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected (on the building/within the curtilage of the site) unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

8. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of orderly development and the visual amenities of the area.

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

works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

10. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

**Reason:** In the interest of visual amenity.

11. The developer shall pay to the planning authority a financial contribution in respect of 3No. parking spaces 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.

**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.

12. 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.

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Caryn Coogan  
Planning Inspector

1<sup>st</sup> of August 2018